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County Hall
Rhadyr
Usk
NP15 1GA

Monday, 25 November 2024

Notice of meeting:

Planning Committee

Tuesday, 3rd December, 2024 at 2.00 pm,
Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with
remote attendance

AGENDA

Item No	Item	Pages
1.	Apologies for Absence.	
2.	Declarations of Interest.	
3.	To confirm for accuracy the minutes of the previous meeting.	1 - 6
4.	To consider the following Planning Application reports from the Chief Officer, Place (copies attached):	
4.1.	Application DM/2023/01019 - Residential development (21 dwellings) together with associated landscaping, infrastructure and ancillary works. Land north of Monmouth Road, Raglan, Monmouthshire.	7 - 40
4.2.	Application DM/2023/01387 - Erection of two dwellings. Crossways Farm, Kingsmark Lane, Chepstow, NP16 5LZ.	41 - 50
4.3.	Application DM/2024/00409 - Construction of wedding venue building as replacement for courtyard marquee, additional parking/turning and associated landscaping works. Cefn Tilla Court, Cefn Tilla Road, Llandenny, NP15 1DG.	51 - 62
4.4.	Application DM/2024/00985 - Replacement dwelling. Bushes Farm, Chapel Road, Earlswood, Shirenewton.	63 - 76

Paul Matthews
Chief Executive

MONMOUTHSHIRE COUNTY COUNCIL

THE CONSTITUTION OF THE PLANNING COMMITTEE IS AS FOLLOWS:

County Councillor Jill Bond	West End;	Welsh Labour/Llafur Cymru
County Councillor Fay Bromfield	Llangybi Fawr;	Welsh Conservative Party
County Councillor Emma Bryn	Wyesham;	Independent Group
County Councillor Sara Burch	Cantref;	Labour and Co-Operative Party
County Councillor Jan Butler	Goetre Fawr;	Welsh Conservative Party
County Councillor John Crook	Magor East with Undy;	Welsh Labour/Llafur Cymru
County Councillor Tony Easson	Dewstow;	Welsh Labour/Llafur Cymru
County Councillor Steven Garratt	Overmonnow;	Welsh Labour/Llafur Cymru
County Councillor Meirion Howells	Llanbadoc & Usk;	Independent
County Councillor Su McConnel	Croesonen;	Welsh Labour/Llafur Cymru
County Councillor Jayne McKenna	Mitchel Troy and Trellech United;	Welsh Conservative Party
County Councillor Phil Murphy	Caerwent;	Welsh Conservative Party
County Councillor Maureen Powell	Pen Y Fal;	Welsh Conservative Party
County Councillor Sue Riley	Bulwark and Thornwell;	Welsh Labour/Llafur Cymru
County Councillor Dale Rooke	Chepstow Castle & Larkfield;	Welsh Labour/Llafur Cymru
County Councillor Ann Webb	St Arvans;	Welsh Conservative Party

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Public Information

Any person wishing to speak at Planning Committee must do so by registering with Democratic Services by no later than 12 noon two working days before the meeting. Details regarding public speaking can be found within this agenda

Access to paper copies of agendas and reports

A copy of this agenda and relevant reports can be made available to members of the public attending a meeting by requesting a copy from Democratic Services on 01633 644219. Please note that we must receive 24 hours notice prior to the meeting in order to provide you with a hard copy of this agenda.

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<https://democracy.monmouthshire.gov.uk/ieListMeetings.aspx?Committeeld=141>

This will take you to the page relating to all Planning Committee meetings. Please click on the relevant Planning Committee meeting. You will then find the link to view the meeting on this page. Please click the link to view the meeting.

Welsh Language

The Council welcomes contributions from members of the public through the medium of Welsh or English. We respectfully ask that you provide us with 5 days notice prior to the meeting should you wish to speak in Welsh so we can accommodate your needs.

Aims and Values of Monmouthshire County Council

Our purpose

To become a zero-carbon county, supporting well-being, health and dignity for everyone at every stage of life.

Objectives we are working towards

- Fair place to live where the effects of inequality and poverty have been reduced.
- Green place to live and work with reduced carbon emissions and making a positive contribution to addressing the climate and nature emergency.
- Thriving and ambitious place, where there are vibrant town centres and where businesses can grow and develop.
- Safe place to live where people have a home where they feel secure in.
- Connected place where people feel part of a community and are valued.
- Learning place where everybody has the opportunity to reach their potential.

Our Values

Openness. We are open and honest. People have the chance to get involved in decisions that affect them, tell us what matters and do things for themselves/their communities. If we cannot do something to help, we'll say so; if it will take a while to get the answer we'll explain why; if we can't answer immediately we'll try to connect you to the people who can help – building trust and engagement is a key foundation.

Fairness. We provide fair chances, to help people and communities thrive. If something does not seem fair, we will listen and help explain why. We will always try to treat everyone fairly and consistently. We cannot always make everyone happy, but will commit to listening and explaining why we did what we did.

Flexibility. We will continue to change and be flexible to enable delivery of the most effective and efficient services. This means a genuine commitment to working with everyone to embrace new ways of working.

Teamwork. We will work with you and our partners to support and inspire everyone to get involved so we can achieve great things together. We don't see ourselves as the 'fixers' or problem-solvers, but we will make the best of the ideas, assets and resources available to make sure we do the things that most positively impact our people and places.

Kindness: We will show kindness to all those we work with putting the importance of relationships and the connections we have with one another at the heart of all interactions.

Purpose

The purpose of the attached reports and associated officer presentation to the Committee is to allow the Planning Committee to make a decision on each application in the attached schedule, having weighed up the various material planning considerations.

The Planning Committee has delegated powers to make decisions on planning applications. The reports contained in this schedule assess the proposed development against relevant planning policy and other material planning considerations, and take into consideration all consultation responses received. Each report concludes with an officer recommendation to the Planning Committee on whether or not officers consider planning permission should be granted (with suggested planning conditions where appropriate), or refused (with suggested reasons for refusal).

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the Monmouthshire Local Development Plan 2011-2021 (adopted February 2014), unless material planning considerations indicate otherwise.

Section 2(2) of the Planning (Wales) Act 2015 states that the planning function must be exercised, as part of carrying out sustainable development in accordance with the Well-being of Future Generations (Wales) Act 2015, for the purpose of ensuring that the development and use of land contribute to improving the economic, social, environmental and cultural well-being of Wales.

The decisions made are expected to benefit the County and our communities by allowing good quality development in the right locations, and resisting development that is inappropriate, poor quality or in the wrong location. There is a direct link to the Council's objective of building sustainable, resilient communities.

Decision-making

Applications can be granted subject to planning conditions. Conditions must meet all of the following criteria:

- Necessary to make the proposed development acceptable;
- Relevant to planning legislation (i.e. a planning consideration);
- Relevant to the proposed development in question;
- Precise;
- Enforceable; and
- Reasonable in all other respects.

Applications can be granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended). This secures planning obligations to offset the impacts of the proposed development. However, in order for these planning obligations to be lawful, they must meet all of the following criteria:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

The applicant has a statutory right of appeal against the refusal of permission in most cases, or against the imposition of planning conditions, or against the failure of the Council to determine an application within the statutory time period. There is no third party right of appeal against a decision.

The Planning Committee may make decisions that are contrary to the officer recommendation. However, reasons must be provided for such decisions, and the decision must be based on the Local Development Plan (LDP) and/or material planning considerations. Should such a decision be challenged at appeal, Committee Members will be required to defend their decision throughout the appeal process.

Planning policy context

Future Wales – the national plan 2040 is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales – the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

Monmouthshire’s Local Development Plan (LDP) sets out the Council’s vision and objectives for the development and use of land in Monmouthshire, together with the policies and proposals to implement them over a 10 year period to 2021. The plan area excludes that part of the County contained within the Brecon Beacons National Park. It has a fundamental role in delivering sustainable development. In seeking to achieve this it sets out a framework for the development and use of land and for the protection of the environment. It also guides and facilitates investment decisions as well as the delivery of services and infrastructure. It determines the level of provision and location of new housing, employment and other uses and sets the framework for considering all land use proposals during the plan period. The LDP contains over-arching policies on development and design. Rather than repeat these for each application, the full text is set out below for Members’ assistance.

Policy EP1 - Amenity and Environmental Protection

Development, including proposals for new buildings, extensions to existing buildings and advertisements, should have regard to the privacy, amenity and health of occupiers of neighbouring properties. Development proposals that would cause or result in an unacceptable risk /harm to local amenity, health, the character /quality of the countryside or interests of nature conservation, landscape or built heritage importance due to the following will not be permitted, unless it can be demonstrated that measures can be taken to overcome any significant risk:

- Air pollution;
- Light or noise pollution;
- Water pollution;
- Contamination;
- Land instability;
- Or any identified risk to public health or safety.

Policy DES1 – General Design Considerations

All development should be of a high quality sustainable design and respect the local character and distinctiveness of Monmouthshire’s built, historic and natural environment. Development proposals will be required to:

- a) Ensure a safe, secure, pleasant and convenient environment that is accessible to all members of the community, supports the principles of community safety and encourages walking and cycling;
- b) Contribute towards sense of place whilst ensuring that the amount of development and its intensity is compatible with existing uses;
- c) Respect the existing form, scale, siting, massing, materials and layout of its setting and any neighbouring quality buildings;
- d) Maintain reasonable levels of privacy and amenity of occupiers of neighbouring properties, where applicable;
- e) Respect built and natural views and panoramas where they include historical features and/or attractive or distinctive built environment or landscape;

- f) Use building techniques, decoration, styles and lighting to enhance the appearance of the proposal having regard to texture, colour, pattern, durability and craftsmanship in the use of materials;
- g) Incorporate and, where possible enhance existing features that are of historical, visual or nature conservation value and use the vernacular tradition where appropriate;
- h) Include landscape proposals for new buildings and land uses in order that they integrate into their surroundings, taking into account the appearance of the existing landscape and its intrinsic character, as defined through the LANDMAP process. Landscaping should take into account, and where appropriate retain, existing trees and hedgerows;
- i) Make the most efficient use of land compatible with the above criteria, including that the minimum net density of residential development should be 30 dwellings per hectare, subject to criterion l) below;
- j) Achieve a climate responsive and resource efficient design. Consideration should be given to location, orientation, density, layout, built form and landscaping and to energy efficiency and the use of renewable energy, including materials and technology;
- k) Foster inclusive design;
- l) Ensure that existing residential areas characterised by high standards of privacy and spaciousness are protected from overdevelopment and insensitive or inappropriate infilling.

Other key relevant LDP policies will be referred to in the officer report.

Supplementary Planning Guidance (SPG):

The following Supplementary Planning Guidance may also be of relevance to decision-making as a material planning consideration:

- Green Infrastructure (adopted April 2015)
- Conversion of Agricultural Buildings Design Guide (adopted April 2015)
- LDP Policy H4(g) Conversion/Rehabilitation of Buildings in the Open Countryside to Residential Use- Assessment of Re-use for Business Purposes (adopted April 2015)
- LDP Policies H5 & H6 Replacement Dwellings and Extension of Rural Dwellings in the Open Countryside (adopted April 2015)
- Abergavenny Conservation Area Appraisal (adopted March 2016)
- Caerwent Conservation Area Appraisal (adopted March 2016)
- Chepstow Conservation Area Appraisal (adopted March 2016)
- Grosmont Conservation Area Appraisal (adopted March 2016)
- Llanarth Conservation Area Appraisal (adopted March 2016)
- Llandenny Conservation Area Appraisal (adopted March 2016)
- Llandogo Conservation Area Appraisal (adopted March 2016)
- Llanover Conservation Area Appraisal (adopted March 2016)
- Llantilio Crossenny Conservation Area Appraisal (adopted March 2016)
- Magor Conservation Area Appraisal (adopted March 2016)
- Mathern Conservation Area Appraisal (adopted March 2016)
- Monmouth Conservation Area Appraisal (adopted March 2016)
- Raglan Conservation Area Appraisal (adopted March 2016)
- Shirenewton Conservation Area Appraisal (adopted March 2016)
- St Arvans Conservation Area Appraisal (adopted March 2016)
- Tintern Conservation Area Appraisal (adopted March 2016)
- Trellech Conservation Area Appraisal (adopted April 2012)
- Usk Conservation Area Appraisal (adopted March 2016)
- Whitebrook Conservation Area Appraisal (adopted March 2016)
- Domestic Garages (adopted January 2013)
- Monmouthshire Parking Standards (adopted January 2013)
- Approach to Planning Obligations (March 2013)
- Affordable Housing (revised version) (adopted July 2019)

- Renewable Energy and Energy Efficiency (adopted March 2016)
- Planning Advice Note on Wind Turbine Development Landscape and Visual Impact Assessment Requirements (adopted March 2016)
- Primary Shopping Frontages (adopted April 2016)
- Rural Conversions to a Residential or Tourism Use (Policies H4 and T2) Supplementary Planning Guidance November 2017
- Sustainable Tourism Accommodation Supplementary Guidance November 2017
- Affordable Housing Supplementary Guidance July 2019
- Infill Development Supplementary Guidance November 2019

National Planning Policy

The following national planning policy may also be of relevance to decision-making as a material planning consideration:

- Future Wales: the national plan 2040
- Planning Policy Wales (PPW) edition12
- PPW Technical Advice Notes (TAN):
 - TAN 1: Joint Housing Land Availability Studies (2015)
 - TAN 2: Planning and Affordable Housing (2006)
 - TAN 3: Simplified Planning Zones (1996)
 - TAN 4: Retailing and Town Centres (1996)
 - TAN 5: Nature Conservation and Planning (2009)
 - TAN 6: Planning for Sustainable Rural Communities (2010)
 - TAN 7: Outdoor Advertisement Control (1996)
 - TAN 8: Renewable Energy (2005)
 - TAN 9: Enforcement of Planning Control (1997)
 - TAN 10: Tree Preservation Orders (1997)
 - TAN 11: Noise (1997)
 - TAN 12: Design (2016)
 - TAN 13: Tourism (1997)
 - TAN 15: Development, flooding and coastal erosion (2021)
 - TAN 16: Sport, Recreation and Open Space (2009)
 - TAN 18: Transport (2007)
 - TAN 19: Telecommunications (2002)
 - TAN 20: The Welsh Language (2013)
 - TAN 21: Waste (2014)
 - TAN 23: Economic Development (2014)
 - TAN 24: The Historic Environment (2017)
- Minerals Technical Advice Note (MTAN) Wales 1: Aggregates (30 March 2004)
- Minerals Technical Advice Note (MTAN) Wales 2: Coal (20 January 2009)
- Welsh Government Circular 016/2014 on planning conditions

Other matters

The following other legislation may be of relevance to decision-making.

Planning (Wales) Act 2015

As of January 2016, Sections 11 and 31 of the Planning Act come into effect meaning the Welsh language is a material planning consideration.

Section 31 of the Planning Act clarifies that considerations relating to the use of the Welsh language can be taken into account by planning authorities when making decisions on applications for planning permission, so far as material to the application. The provisions do not apportion any additional weight to the Welsh language in comparison to other material

considerations. Whether or not the Welsh language is a material consideration in any planning application remains entirely at the discretion of the local planning authority, and the decision whether or not to take Welsh language issues into account should be informed by the consideration given to the Welsh language as part of the LDP preparation process. Section 11 requires the sustainability appraisal, undertaken as part of LDP preparation, to include an assessment of the likely effects of the plan on the use of Welsh language in the community. Where the authority's current single integrated plan has identified the Welsh language as a priority, the assessment should be able to demonstrate the linkage between consideration for the Welsh language and the overarching Sustainability Appraisal for the LDP, as set out in TAN 20.

The adopted Monmouthshire Local Development Plan (LDP) 2014 was subject to a sustainability appraisal, taking account of the full range of social, environmental and economic considerations, including the Welsh language. Monmouthshire has a relatively low proportion of population that speak, read or write Welsh compared with other local authorities in Wales and it was not considered necessary for the LDP to contain a specific policy to address the Welsh language. The conclusion of the assessment of the likely effects of the plan on the use of the Welsh language in the community was minimal.

Environmental Impact Assessment Regulations 2016

The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 are relevant to the recommendations made. The officer report will highlight when an Environmental Statement has been submitted with an application.

Conservation of Habitat & Species Regulations 2017

Where an application site has been assessed as being a breeding site or resting place for European Protected Species, it will usually be necessary for the developer to apply for 'derogation' (a development licence) from Natural Resources Wales. Examples of EPS are all bat species, dormice and great crested newts. When considering planning applications Monmouthshire County Council as Local Planning Authority is required to have regard to the Conservation of Species & Habitat Regulations 2010 (the Habitat Regulations) and to the fact that derogations are only allowed where the three tests set out in Article 16 of the Habitats Directive are met. The three tests are set out below.

- (i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- (ii) There is no satisfactory alternative
- (iii) The derogation is not detrimental to the maintenance of the population of the species concerned by a favourable conservation status in their natural range.

Well-being of Future Generations (Wales) Act 2015

This Act is about improving the social, economic, environmental and cultural well-being of Wales. The Act sets out a number of well-being goals:

- **A prosperous Wales:** efficient use of resources, skilled, educated people, generates wealth, provides jobs;
- **A resilient Wales:** maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change);
- **A healthier Wales:** people's physical and mental wellbeing is maximised and health impacts are understood;
- **A Wales of cohesive communities:** communities are attractive, viable, safe and well connected;
- **A globally responsible Wales:** taking account of impact on global well-being when considering local social, economic and environmental wellbeing;

- **A Wales of vibrant culture and thriving Welsh language:** culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation;
- **A more equal Wales:** people can fulfil their potential no matter what their background or circumstances.

A number of sustainable development principles are also set out:

- **Long term:** balancing short term need with long term and planning for the future;
- **Collaboration:** working together with other partners to deliver objectives;
- **Involvement:** involving those with an interest and seeking their views;
- **Prevention:** putting resources into preventing problems occurring or getting worse;
- **Integration:** positively impacting on people, economy and environment and trying to benefit all three.

The work undertaken by Local Planning Authority directly relates to promoting and ensuring sustainable development and seeks to strike a balance between the three areas: environment, economy and society.

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. Crime and fear of crime can be a material planning consideration. This topic will be highlighted in the officer report where it forms a significant consideration for a proposal.

Equality Act 2010

The Equality Act 2010 contains a public sector equality duty to integrate consideration of equality and good relations into the regular business of public authorities. The Act identifies a number of 'protected characteristics': age; disability; gender reassignment; marriage and civil partnership; race; religion or belief; sex; and sexual orientation. Compliance is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. Due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the needs of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Children and Families (Wales) Measure

Consultation on planning applications is open to all of our citizens regardless of their age: no targeted consultation takes place specifically aimed at children and young people. Depending on the scale of the proposed development, applications are publicised via letters to neighbouring occupiers, site notices, press notices and/or social media. People replying to consultations are not required to provide their age or any other personal data, and therefore this data is not held or recorded in any way, and responses are not separated out by age.

Climate Emergency

In May 2019 Monmouthshire County Council declared a Climate Emergency with unanimous support from Councillors. The Cabinet Member for Infrastructure and Neighbourhood Services has been appointed as the member responsible for climate change and decarbonisation.

Tackling climate change is very important, because if the planet's temperature rises by 2°C there are risks of drought, flood and poverty, impacting on hundreds of millions of people. In Monmouthshire impacts that could happen include more extreme weather events (such as storms), water shortages, droughts, species loss and risk of flooding. Planning has a key role in addressing climate change through the promotion of sustainable development.

The Council has formulated a draft action plan which will be subject to Member approval and will form the Council's response to tackling this issue. Council decisions will need to take into account the agreed action plan.

Protocol on Public Speaking at Planning Committee

Public speaking at Planning Committee will be allowed strictly in accordance with this protocol. You cannot demand to speak at the Committee as of right. The invitation to speak and the conduct of the meeting is at the discretion of the Chair of the Planning Committee and subject to the points set out below. **The conventional protocol has been modified to allow public speaking via pre-recorded videos or to attend the meeting in person and address the Planning Committee.**

Who Can Speak

Community and Town Councils

Community and town councils can address Planning Committee via a pre-recorded video or in person at the meeting.. Only elected members of community and town councils may speak. Representatives will be expected to uphold the following principles: -

(i) To observe the National Code of Local Government Conduct. (ii)

Not to introduce information that is not:

- consistent with the written representations of their council, or
- part of an application, or
- contained in the planning report or file.

When a town or community councillor has registered to speak in opposition to an application, the applicant or agent will be allowed the right of reply.

Members of the Public

Speaking will be limited to one member of the public opposing a development and one member of the public supporting a development. Where there is more than one person in opposition or support, the individuals or groups should work together to establish a spokesperson. The Chair of the Committee may exercise discretion to allow a second speaker, but only in exceptional cases where a major application generates divergent views within one 'side' of the argument (e.g. a superstore application where one spokesperson represents residents and another local retailers). Members of the public may appoint representatives to speak on their behalf.

Where no agreement is reached, the right to speak shall fall to the first person/organisation to register their request. When an objector has registered to speak the applicant or agent will be allowed the right of reply.

Speaking will be limited to applications where, by the deadline, letters of objection/support or signatures on a petition have been submitted to the Council from 5 or more separate households/organisations (in this context organisations would not include community or town councils or statutory consultees which have their own method of ensuring an appropriate application is considered at Committee) The deadline referred to above is 5pm on the day six clear working days prior to the Committee meeting. This will normally be 5pm on the Friday six clear working days before the Tuesday Planning Committee meeting. However, the deadline may be earlier, for example if there is a Bank Holiday Monday.

The number of objectors and/or supporters will be clearly stated in the officer's report for the application contained in the published agenda.

The Chair may exercise discretion to allow speaking by members of the public where an application may significantly affect a sparse rural area but less than 5 letters of objection/support have been received.

Applicants

Applicants or their appointed agents will have a right of response where members of the public or a community/town council, have registered to address committee in opposition to an application. This will also be via a pre-recorded video or in person at the Planning Committee meeting.

When is speaking permitted?

Public speaking will normally only be permitted on one occasion where applications are considered by Planning Committee. When applications are deferred and particularly when re-presented following a committee resolution to determine an application contrary to officer advice, public speaking will not normally be permitted. Regard will however be had to special circumstances on applications that may justify an exception. The final decision lies with the Chair.

Registering Requests to Speak

Speakers must register their request to speak as soon as possible, between 12 noon on the Tuesday and 12 noon on the Friday before the Committee. To register a request to speak, objectors/supporters must first have made written representations on the application.

Anyone wishing to speak must notify the Council's Democratic Services Officers of their request by calling 01633 644219 or by email to registertospeak@monmouthshire.gov.uk. Please leave a daytime telephone number. Any requests to speak that are emailed through will be acknowledged prior to the deadline for registering to speak. If you do not receive an acknowledgement before the deadline please contact Democratic Services on 01633 644219 to check that your registration has been received.

Parties are welcome to address the Planning Committee in English or Welsh, however if speakers wish to use the Welsh language they are requested to make this clear when registering to speak, and are asked to give at least 5 working days' notice to allow the Council the time to procure a simultaneous translator.

Applicants/agents and objectors/supporters are advised to stay in contact with the case officer regarding progress on the application. It is the responsibility of those wishing to speak to check when the application is to be considered by Planning Committee by contacting the Planning Office, which will be able to provide details of the likely date on which the application will be heard. The procedure for registering the request to speak is set out above.

The Council will maintain a list of persons wishing to speak at Planning Committee.

Once the request to speak has been registered by the Council the speaker must submit their pre-recorded video by midday on Monday before the Committee meeting. The video content must comply with the terms below and be no more than 4 minutes in duration. If the third party does not wish to record a video they will need to submit a script to the Council by the deadline above, that will be read out by an officer to the Committee Members at the meeting. The script shall contain no more than 500 words and shall also comply with the terms below. Speakers will also have the option to attend the meeting in person and address Planning Committee.

Content of the Speeches

Comments by the representative of the town/community council or objector, supporter or applicant/agent should be limited to matters raised in their original representations and be relevant planning issues. These include:

- Relevant national and local planning policies
- Appearance and character of the development, layout and density
- Traffic generation, highway safety and parking/servicing;
- Overshadowing, overlooking, noise disturbance, odours or other loss of amenity.

Speakers should avoid referring to matters outside the remit of the Planning Committee, such as;

- Boundary disputes, covenants and other property rights
- Personal remarks (e.g. Applicant's motives or actions to date or about members or officers)
- Rights to views or devaluation of property.

Procedure at the Planning Committee Meeting

The procedure for dealing with public speaking is set out below:

- The Chair will identify the application to be considered.
- An officer will present a summary of the application and issues with the recommendation.
- The local member if not on Planning Committee will be invited to speak for a maximum of 6 minutes by the Chair.
- If applicable, the video recording of the representative of the community or town council will then be played to Members (this shall be no more than 4 minutes in duration). Alternatively, if the community or town council has opted to submit a script of their representations that will be read out by an officer to the Committee Members at the meeting. Alternatively, the community or town council representatives may address the Planning Committee in person at the meeting for a maximum of 4 minutes.
- If applicable, the objector's video recording will then be played to the Members (this shall be no more than 4 minutes in duration) Alternatively, if a third party has opted to submit a script of their representations that will be read out by an officer to the Committee Members at the meeting. Alternatively, the objector may address the Planning Committee in person at the meeting for a maximum of 4 minutes.
- If applicable, the supporter's video recording will then be played to Members (this shall be no more than 4 minutes in duration) Alternatively, if the third party has opted to submit a script of their representations that will be read out by an officer to the Committee Members at the meeting. Alternatively, the supporter may address the Planning Committee in person at the meeting for a maximum of 4 minutes.
- If applicable, the applicant's (or appointed agent's) video recording will then be played to Members (this shall be no more than 4 minutes in duration). Alternatively, if the third party has opted to submit a script of their representations that will be read out by an officer to the Committee Members at the meeting. Alternatively, the applicant (or appointed agent) may address the Planning Committee in person at the meeting for a maximum of 4 minutes.
- Where more than one person or organisation speaks against an application, the applicant or appointed agent, shall, at the discretion of the Chair, be entitled to submit a video of their response of up to 5 minutes in duration. Alternatively, the applicant (or appointed agent) may address the Planning Committee in person at the meeting up to 5 minutes in duration.
 - Time limits will normally be strictly adhered to, however the Chair will have discretion to amend the time having regard to the circumstances of the application or those speaking.
 - Speakers may speak only once.
 - Committee Members may then raise technical questions with officers.
 -
- Planning Committee members will then debate the application, commencing with the

local member if a Member of Planning Committee. Officers will not take any further questions unless it is to advise Members about a procedural or legal issue, or where they consider Members are deviating from material planning considerations.

- Where an objector or supporter or applicant/agent community or town council has spoken on an application no further speaking by or on behalf of that group will be permitted in the event that the application is considered again at a future meeting of the Committee unless there has been a material change in the application.
- The Chair's decision regarding a procedural matter is final.
- When proposing a motion either to accept the officer recommendation or to make an amendment the Member proposing the motion shall state the motion clearly.
- When the motion has been seconded the Chair shall identify the Members who proposed and seconded the motion and repeat the motion proposed (including any additional conditions or other matters raised). The names of the proposer and seconder shall be recorded.
- Members shall decline to vote in relation to any planning application unless they have been present in the meeting of the Planning Committee throughout the full presentation and consideration of that particular application.
- Any Member who abstains from voting shall consider whether to give a reason for their abstention.
- The Legal Officer shall count the votes and announce the decision.
-
- When the motion has been seconded, the Chair shall identify the members who proposed and seconded the motion and repeat the motion proposed. The names of the proposer and seconder shall be recorded.
- A member shall decline to vote in relation to any planning application unless he or she has been present in the meeting of the Planning Committee throughout the full presentation and consideration of that application.
- Any member who abstains from voting shall consider whether to give a reason for his/her abstention.
- An officer shall count the votes and announce the decision.

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Public Document Pack Agenda Item 3

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee
Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance on
Tuesday, 5th November, 2024 at 2.00 pm

PRESENT: County Councillor Phil Murphy (Chair)
County Councillor Dale Rooke (Vice-Chair)

County Councillors: Jill Bond, Fay Bromfield, Emma Bryn, Jan Butler,
John Crook, Tony Easson, Meirion Howells, Su McConnel,
Jayne McKenna, Maureen Powell, Sue Riley, and Ann Webb

OFFICERS IN ATTENDANCE:

Craig O'Connor	Head of Placemaking
Philip Thomas	Development Services Manager
Andrew Jones	Development Management Area Team Manager
Amy Longford	Development Management Area Team Manager
Paige Moseley	Solicitor
Richard Ray	Paralegal
Richard Williams	Democratic Services Officer

County Councillor Jayne McKenna joined the meeting following determination of application DM/2024/00985.

County Councillor Fay Bromfield left the meeting following determination of application DM/202400845 and did not return.

APOLOGIES:

County Councillor Sara Burch

1. Declarations of Interest

County Councillor Phil Murphy declared a personal, non-prejudicial interest pursuant to the Members' code of conduct in respect of application DM/2024/00985, as his son used to work with the applicant.

County Councillor Meirion Howells declared a personal and prejudicial interest pursuant to the Members' code of conduct in respect of application DM/2023/01679, as he is a pacifist. He therefore left the meeting taking no part in the discussion or voting thereon in respect of this application.

<https://www.youtube.com/live/r5JUTxRgl-4?si=gb9t5xftpNvKoAeXX&t=169>

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee
Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance on
Tuesday, 5th November, 2024 at 2.00 pm**

2. Confirmation of Minutes

The minutes of the Planning Committee meeting dated 1st October 2024 were confirmed and signed by the Chair.

<https://www.youtube.com/live/r5JUTxRgl-4?si=np8NbdgMfA6meNid&t=200>

3. Application DM/2023/01341 - Construction of a New Dwelling. 33 Maryport Street, Usk, NP15 1AE

Consideration of application DM/2023/01341 was deferred to a future meeting of the Planning Committee to allow officers to address issues raised in respect of the site and the impact on neighbours.

<https://www.youtube.com/live/r5JUTxRgl-4?si=98aQ0wTrjXcpmGsK&t=257>

4. Application DM/2023/01679 - Construction of a building to house munitions assembly, extraction of material from borrow pits for construction of surrounding blast mounds. B A E Systems, Glascoed Rof, NP15 1XL

We considered the report of the application and late correspondence which was recommended for approval subject to the conditions outlined in the report.

<https://www.youtube.com/live/r5JUTxRgl-4?si=h6BfJDTkajBmTSrt&t=274>

In noting the detail of the application and the views expressed, it was proposed by County Councillor Maureen Powell and seconded by County Councillor Dale Rooke that application DM/2023/01679 be approved subject to the conditions outlined in the report.

Upon being put to the vote, the following votes were recorded:

For approval	-	7
Against approval	-	1
Abstentions	-	2

The proposition was carried.

We resolved that application DM/2023/01679 be approved subject to the conditions outlined in the report.

5. Application DM/2024/00985 - Replacement dwelling. Bushes Farm, Chapel Road, Earlswood, Shirenewton

We considered the report of the application and late correspondence which was presented for refusal for the reasons outlined in the report. However, it was considered that reason two for refusal should be omitted.

<https://www.youtube.com/live/r5JUTxRgl-4?si=h2WG-lbR9ddX8NH2&t=1181>

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance on Tuesday, 5th November, 2024 at 2.00 pm

In noting the detail of the application and the views expressed, it was proposed by County Councillor Maureen Powell and seconded by County Councillor Emma Bryn that application DM/2024/00985 be refused for Reason 1, outlined in the report.

Upon being put to the vote, the following votes were recorded:

For refusal	-	6
Against refusal	-	6
Abstentions	-	1

The proposition was tied.

Therefore, the Chair exercised his casting vote and voted to refuse the application for Reason 1, outlined in the report. The proposition was therefore carried.

We resolved that application DM/2024/00985 be refused for Reason 1, outlined in the report.

6. Application DM/2024/00845 - Proposed rear extension and front porch extension. 4 Tanglewood Close, Abergavenny, NP7 5RJ

We considered the report of the application and late correspondence in which the officer recommendation was split, as follows:

Rear Extension: Refuse for the one reason outlined in the report with an amendment to remove any reference to privacy.

Porch: Approve subject to the conditions outlined in the report.

<https://www.youtube.com/live/r5JUTxRgl-4?si=Jzvu3g1p8NIPkqt&t=3962>

In noting the detail of the application and the views expressed, it was proposed by County Councillor Maureen Powell and seconded by County Councillor Su McConnel that we support the officer recommendation as follows:

Rear Extension: Refuse for the one reason outlined in the report with an amendment to remove any reference to privacy.

Porch: Approve subject to the conditions outlined in the report.

Upon being put to the vote the following votes were recorded:

In favour of the officer recommendation	-	11
Against the officer recommendation	-	2
Abstentions	-	0

The proposition was carried.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance on Tuesday, 5th November, 2024 at 2.00 pm

We resolved to support the officer recommendation in respect of application DM/2024/00845 as follows:

Rear Extension: Refuse for the one reason outlined in the report with an amendment to remove any reference to privacy.

Porch: Approve subject to the conditions outlined in the report.

7. FOR INFORMATION - The Planning Inspectorate - Appeals / Costs Decisions Received:

<https://www.youtube.com/live/r5JUTxRgl-4?si=DS1cFRI6-pCw7F2S&t=5848>

7.1. Appeal Decision - 17 St Mary Street, Chepstow, Monmouthshire, NP16 5EW

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been held at 17 St Mary Street, Chepstow, Monmouthshire on 9th September 2024.

We noted that the appeal had been dismissed.

7.2. Appeal Decision - Former Whitemill Welsh Water Works, Usk Road, Shirenewton, Monmouthshire, NP16 6BU

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been held at Former Whitemill Welsh Water Works, Usk Road, Shirenewton, Monmouthshire on 9th September 2024.

We noted that the appeal had been dismissed.

7.3. Appeal Decision - Land North West Of Holly Lodge (also known as Land at High Mass Cottage and Land at Church View), Five Lanes North, Five Lanes, Caerwent, Monmouthshire NP26 5PG

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been held at Land North West Of Holly Lodge (also known as Land at High Mass Cottage and Land at Church View), Five Lanes North, Five Lanes, Caerwent, Monmouthshire on 24th September 2024.

Appeal A

We noted that subject to the corrections and variations outlined in the Inspector's report, Appeal A was dismissed, and the enforcement notice was upheld.

Appeal B

We noted that the appeal was allowed and planning permission was granted for change of use from agriculture to land for the keeping of horses (retrospective), proposed

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee

Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance on
Tuesday, 5th November, 2024 at 2.00 pm

erection of stable block for 5 horses, erection of ancillary storage building, construction of manege, at Land North West Of Holly Lodge (also known as Land at High Mass Cottage and Land at Church View), Five Lanes North, Five Lanes, Caerwent, Monmouthshire NP26 5PG, in accordance with the terms of the application, reference DM/2023/01042, dated 24 July 2023, subject to the conditions set out in the schedule.

7.4. Costs Decision - Land North West Of Holly Lodge (also known as Land at High Mass Cottage and Land at Church View), Five Lanes North, Five Lanes, Caerwent, Monmouthshire NP26 5PG

We received the Planning Inspectorate report which related to the costs decision in respect of land North West Of Holly Lodge (also known as Land at High Mass Cottage and Land at Church View), Five Lanes North, Five Lanes, Caerwent, Monmouthshire.

We noted that the application for an award of costs had been refused with regard to Appeal A and Appeal B.

8. FOR INFORMATION: Appeals received 1st July to 30th September 2024

We noted the planning appeals received by the Planning Department for the period 1st July to 30th September 2024.

The meeting ended at 3.45 pm.

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Application Number: DM/2023/01019

Proposal: Residential development (21 dwellings) together with associated landscaping, infrastructure and ancillary works

Address: Land north of Monmouth Road, Raglan, Monmouthshire

Applicant: Edenstone Homes

Plans: Other 2284-100-1-F - SHEET 1, Other 2284-100-2-D F - SHEET 2, Tree Protection Plan TREE PROTECTION PLAN - , Garage Plans GARAGES - 160 - , Garage Plans GARAGES - 161 - , Garage Plans GARAGES - 161-1 - , Elevations - Proposed HOUSES - 150 B - , Site Layout LAYOUTS - 100 - B, Site Layout LAYOUTS - 101 - A, Site Layout LAYOUTS - 102 - B, All Proposed Plans LAYOUTS - 103 - B, All Proposed Plans LAYOUTS - 104 - B, All Proposed Plans LAYOUTS - 105 - B, Parking Layout LAYOUTS - 106 - B, Site Layout LAYOUTS - 107 - B, Street Scene LAYOUTS - 108 - A, Lighting Plan / Information LIGHTING - V.4A, Location Plan 101 REV A - , Drainage edp8971_d003-A - , Landscaping Plan EDP8971_R001 - , Landscaping Plan EDP8971_D003-A - , Landscaping Plan EDP8971_D002 - , Landscaping Plan EDP8971_D001 - , Drainage 2284-105-1-A - , Drainage 2284-105-2-A - , Drainage 2284 - , Technical Details 216214_AT_A03 REV E - Tracking, Technical Details 216214_AT_A01 REV E - Tracking, Technical Details 216214_AT-A02 REV E - Tracking, Technical Details 216214_A01 REV E - Tracking, Green Infrastructure Framework Plan 110_ - B, All Proposed Plans 155 - B, All Proposed Plans 160 - B, All Proposed Plans 161 - B, All Proposed Plans 162 - , All Proposed Plans 163 - , All Proposed Plans 164 - , All Proposed Plans 165 - , All Proposed Plans 166 - , All Proposed Plans 167 - , All Proposed Plans 168 - , All Proposed Plans 169 - , Other 175 – Pond, Flood Consequences Assessment and Drainage Strategy, prepared by Edenstone Group, dated September 2024, Ecological Impact Assessment Report prepared by Wildwood Ecology, dated 21/06/2023

RECOMMENDATION: Approve subject to s106 agreement

Case Officer: Ms Kate Bingham
Date Valid: 20.07.2023

This application is presented to Planning Committee due to the number of objections received

1.0 APPLICATION DETAILS

1.1 Site Description

The application site relates to a 1ha area of agricultural land located within the village of Raglan. The site is rough pasture that is not currently actively grazed and is instead subject to a regular management and maintenance regime. It is bounded on three sides by existing housing and on the southern side by a native boundary hedge alongside Monmouth Road, the primary road into Raglan from the A40. Land to the south of this road remains undeveloped.

The site is privately owned and is entirely enclosed along its boundaries with a vehicular and pedestrian security gate at its entrance from Monmouth Road. There are no public rights of way that either cross the site or connect to its boundaries.

Topographically, the site slopes down by approximately 3m from its northern boundary to the south. Beyond its northern boundary, the site slopes steeply downwards to the four detached houses on the southern side of Old Monmouth Road with a retaining wall in place. These properties are orientated so that their gardens back onto the application site with the houses themselves further to the north and fronting Old Monmouth Road.

The site's western boundary is formed of three components. The north-eastern part is a narrow, fenced paddock which runs approximately a third of the length of the site's western boundary. To the south of this is Hawthorn House, a detached property constructed in accordance with a planning permission from 2009. Further to the south of this, and immediately south-west of the site, is a recently constructed property known as Nelson House (ref. DC/2018/00176).

The site is not subject to any statutory or non-statutory ecological designations with the nearest statutory site (the Llangovan Church Site of Special Scientific Interest) being 4.7km away and the nearest non-statutory site within 1km.

There are no Scheduled Ancient Monuments or Listed Buildings within the site boundary. A cluster of listed buildings are located to the west of the site at Castle Street whilst Raglan Castle, which is located approximately 350m north of the site is Grade I listed, a designated Scheduled Ancient Monument, and a Registered Park and Garden.

The site is within Flood Zone A (Considered to be at Little or No Risk of Fluvial or Coastal/Tidal Flooding) in the current Development Advice Maps and Flood Zone 1 in the emerging Flood Map for Planning. Neither map identifies the site as being at risk of surface water flooding.

The site is not subject to any statutory landscape designations.

The site is within Raglan's settlement boundary. The LDP identifies Raglan as a Rural Secondary Settlement, a tier in the settlement hierarchy which is to accommodate a proportionate amount of new housing. It is also within the Raglan Conservation Area. Reflecting its contribution to the Conservation Area, the application site is designated as an Area of Amenity Importance in the LDP. This does not preclude the development of the site but sets out five criteria that must be satisfied for development to be considered acceptable.

The site is also located within the Nutrient Sensitive Catchment Area of the River Usk Special Area of Conservation (SAC).

1.2 Value Added

Following advice from both internal and external consultees, the applicants have worked closely with Planning Officers and relevant consultees to address concerns raised and to that end, a revised package of plans and documentation was submitted on 7th October 2024. Compared to the scheme that was originally submitted, the key changes to the proposals are as follows:

- The reduction in the number of homes proposed from 23 to 21;
- Changes to a number of house types as well as the mix and their locations across the site;
- The formation of a publicly accessible viewing point at the northern edge of the site facilitating public views from the site to the Castle; and
- A revised approach to green infrastructure provision across the site incorporating additional tree planting and landscaping.

1.3 Proposal Description

This is a full planning application for 21 dwelling with a mix of house types, tenures and sizes, alongside a package of green and blue infrastructure, appropriate buffers to the site's boundaries, the retention of an undeveloped visual corridor through the site, internal roads, and informal and formal open space that will be usable by the general public.

A total of eight different house types are proposed to be delivered across the site with a combination of one-bedroom flats and two/ three and four-bedroom houses. The proposed houses will be a mix of two and two and a half storeys in height. In accordance with Policy S4 of the LDP, seven of the 21 homes (equating to 35%) are to be affordable. These will be a mix of affordable rent and shared ownership.

Access into the site would not be controlled and therefore public open space within the site will be accessible to the public beyond residents of the application site. The public open space is proposed at the northern end of the site to allow to views of Raglan Castle. An attenuation pond is located in the south-western corner of the site. It is anticipated that this will permanently be wet.

A new vehicular access into the site is to be delivered midway along the length of the site's frontage with Monmouth Road. This access is proposed to be in the form of a new priority junction. To provide the access into the site and associated footway improvements along the northern edge of Monmouth Road, will require the removal of 17m of hedgerow but this is proposed to be compensated with the planting of 293m of new hedgerow and retention of 66m of hedgerow.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DC/2006/00855	The construction of a new retirement community comprising a range of housing units plus a communal block within an enhanced open landscape setting as follows: 2 no. four bed houses, 8 no. 2 bed cottages, 8 no. two bed flats, 12 no. one bed flats, 14 no. bedrooms, 4000 sq ft of central communal facilities including a gymnasium, a library and a restaurant	Refused	31.10.2007

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision
 S12 LDP Efficient Resource Use and Flood Risk
 S13 LDP Landscape, Green Infrastructure and the Natural Environment
 S16 LDP Transport
 S17 LDP Place Making and Design

Development Management Policies

H2 LDP Residential Development in Main Villages
 EP1 LDP Amenity and Environmental Protection
 EP5 LDP Foul Sewage Disposal
 DES1 LDP General Design Considerations
 DES2 LDP Areas of Amenity Importance
 GI1 LDP Green Infrastructure
 NE1 LDP Nature Conservation and Development

Supplementary Planning Guidance

Affordable Housing SPG July 2019:
<https://www.monmouthshire.gov.uk/app/uploads/2019/09/Final-Adopted-SPG-July-2019.pdf>

Infill Development SPG November 2019:

<https://www.monmouthshire.gov.uk/app/uploads/2020/02/Appendix-2-Infill-Development-SPG-Latest-Version-for-Final-Adoption-2020-Dave-adjustments-00000002.pdf>

Green Infrastructure April 2015:

<http://www.monmouthshire.gov.uk/app/uploads/2015/07/GI-April-2015.pdf>

Domestic Garages SPG (January 2013):

<http://www.monmouthshire.gov.uk/app/uploads/2015/07/Domestic-Garage-SPG-Jan-2013.pdf>

Monmouthshire Parking Standards (January 2013)

<http://www.monmouthshire.gov.uk/app/uploads/2015/07/Mon-CC-Parking-Standards-SPG-Jan-2013.pdf>

Conservation Area Appraisal

Raglan Conservation Area Appraisal (March 2016):

<http://www.monmouthshire.gov.uk/planning-policy/supplementary-planning-guidance/raglan-conservation-area-appraisal>

The Raglan Conservation Area Appraisal and Management Proposals state that:

At the entrance driveway to Hill House there are well defined views north to the castle. The field east of Hill House provides further expansive views north to the castle and Castle Farm. Uninterrupted views between village and castle are rare and therefore these now form a significant positive characteristic of this part of the Conservation Area. The field, presently rough grassland grazed by cattle, is an important green open space within the village. The open nature of this open area affords the uninterrupted views that reinforce the historic connection between the castle and village.

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

Planning Policy Wales (PPW) Edition 12

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

Welsh Development Quality Requirements (WDQR) 2021 (Appendix A & B space requirements)

Quality requirements for affordable housing.

5.0 REPRESENTATIONS

Raglan Community Council – Objection on the following grounds:

The Community Council has expressed a number concerns and wish to offer the following objections and noting the other correspondence the Planning Authority has received relating to this application.

This site has previously seen a planning application to develop the site for a new retirement community, comprising of a range of housing units (six separate blocks) plus a communal/amenity/housing block (a single large, long building), all of one and a half to two storeys in height, with two-storey corner towers and containing 44 separate dwellings. That application was refused planning permission in November 2007 (DC/2006/00855). The buildings were set out in two lines with an open space as a north-south corridor through the middle of the site. The reasons for refusal were various, however, they included several aspects related to the historic environment namely:

The proposed development would harm the beneficial contribution that the Site makes to the Raglan Conservation Area. This would have impact along with interruption of the views of and from Raglan Castle.

Local Development Plan (LDP):

In terms of this proposed application the applicant would appear to have failed to show that the proposed development is necessary. Currently MCC is progressing with its RLDP review and all indications are that dwelling projections will be significantly lower than existing.

The housing need may be as low as half the current annual targets. It would appear that there is no overriding requirement or need for a proposed development of this scale in Raglan village itself. It's clear that if there was even a need for housing this would not be the appropriate site to deliver such a development which would mean it would be an unsustainable form of development.

Planning Policy Wales (PPW) offers advice that Planning Authorities (PAs) should consider the capacity of existing and potential infrastructure, including other utilities and social infrastructure such as schools and hospitals, along with the GP surgery. It's clear from all the current publicity relating to education and health, the village and the community would be unable to absorb further development. Therefore, concern must be expressed that at this stage the infrastructure of Raglan Village will find it difficult to manage the size of the development of this proposed site.

Within the current LDP adopted on 27 February 2014, Section 2.4 states "Under the Planning and Compulsory Purchase Act 2004, local Planning Authorities are required to undertake their functions with a view to contributing to the achievement of sustainable development". A development of this size and scale would have a negative impact on the sustainability of Raglan and the wider community.

Considering all the facts at this stage, it is difficult to see how the Planning Authority can consider approving this proposed application, under section 2.5 of the LDP. The LDP states the Council must have regard to National Planning Policies. The WGs National Land use Planning policies are set out in Planning Policy Wales (PPW) and circulars, supplemented by Technical Advice Notes (TANs).

As you are aware the Cabinet Minister has issued a disapplication of paragraph 6.2 of TAN 1. The Planning Authority adopted the recommendation from the Wales Spatial Plan (WSP) which was originally adopted by the National Assembly in November 2004 and updated in July 2008. The WSP provides a framework for the future spatial development of Wales and integrates the spatial aspects of national strategies including social inclusion, economic development, health, transport and environment policy, and is a material consideration in the preparation of the LDP.

Set out in the Planning Inspectors Report relating to 2014 LDP, the inspector indicates;

“Because of its good level of services and facilities Raglan is classified as one of the four Rural Secondary Settlements in the County; it is amongst the first-tier villages and ranked second overall. Although there is little opportunity for employment in the village and newcomers will be likely to have to commute to jobs, additional housing will provide some extra support for facilities”.

The five guiding themes of the WSP indicate that it should Build Sustainable Communities, promote a Sustainable Economy, Valuing Our Environment, Achieving Sustainable Accessibility and Respecting Distinctiveness.

The scale and size of this development does not provide a sustainable community, nor supports a sustainable economy as owners within this proposed development will be commuting out of the area.

Therefore, due to the size, scale and mass it will not enhance the environment, and it will detract from the uniqueness of Raglan, and with that in mind, members of Raglan Community Council would object to this application.

School:

The education authority received Planning consent under the Planning Application DC/2014/00201. The consent was for the erection of a primary school in the village for 210 pupils. It's the Community Council's understanding the school is operating at or over capacity. It would appear from information available that Raglan school, will have difficulty coping with the development of a further 21 dwellings along with the development that is under construction on Chepstow Road in Raglan. With no opportunity to expand on the current site the only solution will be busing children to neighbouring schools resulting in unsustainable traffic movements. Currently due to the budget restraints the County Council are under this wouldn't be an option.

The development as a whole would appear to be in conflict with the LDP in many areas. Planning law requires that the application be determined in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires inclusion in the current LDP. It would appear that there are no material considerations which could outweigh the conflicts with the current LDP and the Planning Authority are urged to refuse this application.

Public Access:

Currently the site is poorly connected to Raglan village for pedestrians. The current footway along Monmouth Road is of sub-standard width and poorly surfaced forcing users to walk in the carriageway itself. The development does not propose to address these deficiencies. The current proposal does not indicate any provision of a pedestrian link that could be fully funded or delivered. The situation is even worse along Station Road which has no pedestrian footpaths and this would be one of the main access points to the school.

The village could be said is poorly serviced by public transport. Bus frequency is limited to once every two hours and there are no evening services operating. On the current drive for people to use public transport for work and pleasure, it isn't possible to work in a neighbouring town or community on a full-time basis due to the current bus service.

Raglan is a very modest small rural community and has limited employment opportunities and no new proposed allocations for employment. The Planning Authority will need to take all these factors into account and this would mean that prospective owners of dwellings of this proposed development will be car dependent leading to unsustainable traffic movements. The community has seen a number of accidents in the surrounding road network.

Conservation Area:

The Raglan Conservation Area was designated in 1982. Raglan Conservation Areas is one of 31 designated Conservation Areas in Monmouthshire. The Raglan Conservation Area was established in the Monmouthshire County Council policy adopted in 2016 relating to the Conservation Area Appraisals and adopted as Supplementary Planning Guidance (SPG) and as such are part of a suite of guidance to complement the LDP to ensure suitable and sustainable development within MCC.

These documents support the preservation and enhancement of local identity and culture. It's the Community Council's understanding the Planning (Listed Building and Conservation Areas) Act 1990 (S.69) imposes a duty on Local Authorities to review their areas "from time to time" and to consider whether further designation of Conservation Areas is called for. It's the Community Councils understanding that no further amendments have been made through the consultation process. The Community Council have noted the observation CADW has made in its latest correspondence. CADW indicated that they have significant concerns about the impact on the scheduled monuments and registered historic park and gardens. However, we consider that if mitigating measures were undertaken, our concerns about the impact would be reduced. It's difficult to understand what mitigating measures could be put in place when this site has been refused consent in November 2007 (DC/2006/00855).

In conclusion the Community Council formally objects to this proposed Planning Application. It can be considered the proposed application is in conflict with a number of policies and advice notes in Monmouthshire County Council LDP that was adopted in February 2014.

Welsh Government Land Quality Advice Service - I can confirm the Department has no comments to offer in respect of the application and BMV agricultural land policy (PPW para 3.58 and 3.59) on which it is for the determining authority to take a view. The Department does not hold any detailed ALC field survey information for the site. The Predictive ALC Map notes the site (approx. 1.0ha) as Grade 2 and Urban. Due to the small size of the site, a detailed ALC survey would not be practical and is not recommended. The site is allocated as an Area of Amenity Importance (Policy DES2) under the adopted Monmouthshire LDP.

Natural Resources Wales (NRW) - No objection subject to documents being referred to in the decision notice.

Nutrient Sensitive River Usk and Foul Drainage - We note the application site is within the catchment of the River Usk Special Area of Conservation (SAC). As you are aware, on the 21 January 2021, we published an evidence package In line with our *Advice to Planning Authorities for Planning Applications Affecting Nutrient Sensitive River Special Areas of Conservation* (28 June 2024), under the Habitats Regulations, Planning Authorities must consider the impact of proposed developments on water quality within SAC river catchments.

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine. We refer you to our Advice and the information set out in the section titled '*What does this mean for development proposals involving connection to public wastewater treatment works*'.

Your Authority will need to take the above into account in your determination of whether the development is likely to have an adverse effect on the SAC.

Flood Consequence Assessment and Drainage Strategy - We note the updated Flood Consequences Assessment and Drainage Strategy, prepared by Edenstone Group, dated September 2024 which includes Engineering Layout Sheet 1, drawing number 100-1, revision F and Engineering Layout Sheet 2, drawing number 100-2, revision D. The document should be included in the approved plans and documents condition on the decision notice.

European Protected Species - We also continue to advise that based on the information submitted to date, the Ecological Impact Assessment Report prepared by Wildwood Ecology, dated

21/06/2023, should be included in the approved plans and documents condition on the decision notice.

Dwr Cymru – Welsh Water (DCWW) - We have reviewed the information submitted as part of this application with particular focus on drawing reference 100-1 F and and 100-2 D which shows the proposed foul and surface water drainage layout and off-site destination. We note the connection of surface water to the watercourse and foul water to an existing public sewer to which we offer no objection in principle.

Furthermore, the site lies within the catchment of Raglan WwTW which ultimately discharges to a Special Area of Conservation (SAC). We would advise that this WwTW it has a phosphorus consent limit of 1 mg/l and is currently compliant with this consent limit.

However, the WwTW is currently failing to comply with the 95% quartile for its flow passed forward (FPF) performance, at the time of this consultation. Accordingly, we would advise there is currently a lack of hydraulic capacity in the public sewerage system and downstream WwTW to accommodate foul water flows from the development subject of this application.

Notwithstanding this, in line with the environmental regulator's National Environment Programme, we are required to deliver a scheme at the WwTW to ensure 95% quartile compliance with our FPF performance and offer a condition aligning to the date of delivery as recommended below. Notwithstanding the above, if you are minded to grant planning permission we request that the following Conditions and Advisory Notes are included within any subsequent consent.

1. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

2. No buildings on the application site shall be brought into use earlier than 31/12/2027, unless the upgrading of the public sewerage system, into which the development shall drain has been completed and written confirmation of this has been issued to the Local Planning Authority by Dwr Cymru Welsh Water.

Reason: To prevent further hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Cadw - No objection subject to condition.

Amended plans for this application, reducing the number of dwellings to 21, with a revised layout have been submitted in support of this application. The revised layout still includes the essential elements of the original design that were introduced to mitigate the impact of the proposed development on the setting of Raglan Castle, including the central avenue providing views to the castle; planting to soften the buildings in views from the castle and the provision of a seating area with interpretation panels overlooking the castle. As such the impact of the proposed development on the setting of the castle will be similar to the original layout as assessed by EDP. As such, Cadw does not object to the granting of planning consent to this application, subject to a condition (as worded in our previous letter) ensuring that the proposed compensatory works are carried out, is attached.

Heneb (formerly GGAT) - No objection subject to condition.

We have consulted the information in the Historic Environment Record (HER) and note the submission of a desk-based assessment by Archaeology Wales (Report no. 2150, dated January 2023). We also note Cadw s pre-application comments on the potential impact on Raglan Castle Scheduled Monument (Cadw ref. MM005) and Raglan Castle Registered Historic Park and Garden (Cadw ref. PGW (Gt) 42 (MON)). As a result a Heritage Assessment (EDP Report no. edp8120-r001d, dated July 2023) and Rapid Archaeological Appraisal (Archaeology Wales Report no. 2223, dated August 2023) have also been submitted.

With regards to non-designated, below-ground archaeological remains, the documents have identified two former field boundaries as well as a moderate potential for further unrecorded activity spanning the prehistoric to the Postmedieval periods. As a result, an archaeological watching brief on all groundworks is recommended.

We concur and it is our recommendation that a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource should be attached to any consent granted by your Members.

MCC Landscape/Green Infrastructure – No objections subject to conditions and S106 contributions:

Detailed landscape/planting plan (also implementation and management)

Green Infrastructure Management Plan

Details of Information Board

Samples of roof tiles.

MCC Biodiversity – No objection subject to planning conditions.

MCC Heritage – A number of revisions have been made to the plans to address the concerns over layout and orientation of the buildings whilst maintaining key sightlines to the castle. These are welcomed and improve the layout of the site.

However, there remains some observations in relation to the proposed plans, some identified earlier in the pre- application response and initial consultation

Materials - As previously noted all properties should have natural slate roofs, there is a statement on materials plan 102B that roofs are to be grey. These should be of natural slate. It was also requested that surfaces were shared and of a higher quality material. The plans show tarmac roads and pavements, there at least should be a differentiation between the road surface and the pavements ideally with permeable paving to the pavements. The additional tree planting is welcomed.

Design - it was previously requested to simplify the fenestration to the windows of the properties. In addition, plots 3 and 20 should have a more active side frontage as they face both the main road and internal spine road. The use of a double height bay to the larger and a ground floor bay to the smaller (sa) unit would be required.

Boundary treatments. I can see that attempts have been made to ensure some visible boundary treatments are finished in stone, however this should also be extended to the front of the site with the access to the side of properties 1 and 21, to the rear of properties 20, and 3 and the rear courtyard of plots 9-13 and the rear of 14-15 so that the parking area is not bounded by close boarded fences. The boundary to east of plot 16 and the rear of 18/19 should also be stone.

Samples of materials such as Natural slate, Stone for boundary walls and cladding
Permeable paving should be agreed via a condition.

It is also recommended that permitted development rights are removed in relation to enclosures, extensions and outbuildings.

MCC Housing - No objections.

The proposal is for 5 of the homes to be provided as social rent and 2 to be provided as shared ownership. At this stage the preference is for the homes to be neutral tenure, where tenure of housing is not predetermined but can vary according to needs, means and preferences of households to whom it is offered. Consultation would be carried out with the local community to understand the mix of tenure required. However, if some of the homes are to be provided as 'Low Cost Home Ownership' we would require these to be shared equity rather than shared ownership.

MCC Highways – No objections. Following review of the site layout drawing '100 B' and Engineering Layout '2284 100-1 Rev. F' the Highway Authority are satisfied that the concerns

previously raised have been addressed and therefore are now in a position to remove our initial objection and offer no objection the application subject to the following conditions being applied to any grant of planning approval or included in a Section 106 Agreement.

The site is located within reasonable walking distance, 800 metres of local amenities, shops, doctors, primary school etc. A footway is located on the northern side of Monmouth Road, directly along the full site frontage, albeit sub-standard in width.

Monmouth Road forms part of the National Cycle Network (NCN) and is recorded as Route No. 423. The application proposes no other specific provision or improvements to the local cycle network to encourage or promote cycling, however it is acknowledged that the application site has direct access to the NCN.

Bus stops are located on Monmouth Road approximately 230 metres from the centre of the proposed development. Unfortunately, based on the proposals submitted, the modal split for the proposed development is likely to include minimal, if any, bus use, because of the low frequency levels of buses. Services currently operate once every two hours for both the 60 and 68 bus routes. The nearest rail station is located in Abergavenny, 14Km, therefore, rail travel is likely to be dependent on car travel, due to poor connecting bus provision.

The access is proposed directly onto the adjacent Monmouth Road in the form of a priority T-junction of standard width 5.5m. The proposed access is located within the existing 20mph speed limit. Footways are proposed on both sides of the junction which connect to the existing footway on Monmouth Road.

The general layout is considered acceptable with the provision of a 5.5m wide access road together with a turning head and one 2m wide footway on the western side of the carriageway, all of which have been designed to adoption standards. A swept path analysis has been submitted as part of the TS which demonstrates that refuse vehicles can serve the site and turn appropriately in the proposed turning head. In addition to the main spine road there are a series of private shared drives providing access and parking to individual dwellings properties.

Access designed to serve no more than 5 dwellings is acceptable in accordance with current design standards. Only the main spine road and turning head would be considered for adoption as public highway and the shared accesses for dwellings would remain private.

As stated above, access for refuse vehicles can be achieved from the main spine road. It should be noted that refuse collection is based on kerb side collection therefore refuse is to be taken to the main spine road for collection.

Careful consideration should be given to the proposed use of highway construction materials as any material which is over and above conventional materials a commuted sum will be applicable for its future maintenance.

The TS and submitted layout drawings clearly demonstrate that the car parking provision proposed for each dwelling is in accordance with the Monmouthshire Parking Standards. Where garage parking is proposed single and double garages are shown with dimensions in accordance with the Monmouthshire Standards for garages, therefore are acceptable.

As part of the TS an analysis of the existing local highway network has been carried out and it has been demonstrated that the peak periods on the highway network are between 08:00 - 09:00 in the AM and 17:00 - 18:00 in the PM. The TS has assessed the effect of the traffic impact from the proposed development of 23 residential dwellings on the local highway network.

The projected trip rates from the proposed development have been obtained from the TRICS database which is the recognised database for trip rate information. The projected trip rates in the AM peak period are projected at 11 two-way trips and 10 two-way trips in the PM peak period.

Having considered the submitted data it is accepted that the level of traffic proposed from the development will have no adverse impact on the safety and capacity on the local network.

Considering the above, there are no highway grounds to sustain an objection to the development, in principle.

MCC Active Travel - According to Planning Policy Wales 12 and the Active Travel Act guidance, access priorities should reflect the hierarchy of sustainable transport. This relates both to provision within the site and to connections between the site and nearby services, facilities and active travel networks. Active travel provision should be coherent, direct, safe, comfortable and attractive. Specific guidance on designing for active travel can be found in the Active Travel Act guidance.

It is noted that the speed limit along Monmouth Rd has been 20mph prior to the Transport Statements speed survey, which showed the average speed is above 30mph and the 85th centile above 36mph. Localised traffic calming could be considered in the area.

The site is conveniently located within a village, within walking/cycling distance to primary education, retail and the post office, and small employment sites. Active travel access to local bus services is also good. NCN 423 runs directly past the site. Raglan High Street is narrow and frequently congested, even though a main road alternative runs parallel to it (the A40), so the encouragement and enhancement of the active travel offer in the village should be considered important to the sustainability and wellbeing of the community.

The width of the junction connecting the development to Monmouth Road should be considered in the context of the sustainable transport hierarchy and active travel standards, and the design should reflect the current actual vehicle speeds.

Tightening the junction splay, which may be possible now that Monmouth Road is now 20mph from the Castle Rd junction and onwards into Raglan, will enhance the active travel offer by reducing inconvenient deviation of the pedestrian desire line and encourage drivers to slow and observe when turning. Pedestrians travelling along Monmouth Road past the development should not be drawn too far into the development. Given the reduced speed limit on Monmouth Road, larger vehicles turning into the development should be expected to complete their turn by turning wide, rather than needing a wider junction splay that pushes the pedestrian crossing into the development.

The pavement provision around the site should be 2m minimum to meet current guidance. All paths should be well lit for personal safety and security purposes. Where possible, acute angles in pavements and cycle routes would ideally be blunted or curved while maintaining minimum widths to accommodate movement and enhance attractiveness and longevity of active travel infrastructure whilst avoiding the creation of pits, puddles and balding of grass at tight corners. The pavement to the village centre crosses a single side road Castle Street, which could benefit from mouth narrowing and pedestrian priority.

The production of an outline plan for preventing transgression of active travel space by motor vehicles i.e. bollards or plants to prevent parking on pavements, would be welcomed to further promote active travel from the site.

It is to be noted that safe cycle parking provision within housing units should be made to meet standards set out in Active Travel guidance, this states 1 space per bedroom. Secure and ideally covered Cycle parking within Raglan village centre is currently limited and would benefit from future investment.

We would seek assurance that the construction plan secures the needs and safety of walkers and cyclists in temporary traffic management arrangements during construction.

MCC Public Rights of Way - No objection. Confirm that there is no recorded public right of way through the site to the well. I have examined historic mapping and there is no evidence of any path

running to/from the well from the south. It appears that there has been a highway immediately north of the well for over 100 years, and I believe this would have been used to access the well.

MCC SAB - No objections.

The application has demonstrated a means of surface water discharge (rainwater harvesting, infiltration, watercourse, surface water sewer or combined sewer). This will be subject to a S50 approval for installation of the new surface water pipe under the Monmouth Road to the Barton Brook. The site will be subject to SAB so please attach the SAB informative and draw the applicant's attention to it. We would recommend they undertake a pre-app with the SAB to confirm the details of the construction and layout. There are a few minor tweaks that will be required that may impact the layout by minor amounts.

MCC Lead Local Flood Authority - No objection.

Flood risk maps provided by Natural Resources Wales indicate the site to be at no risk of Surface Water Flooding.

Our database of previous flood events does not record any flood events in close proximity to the site.

Our database of drainage and flood assets does not record any drainage or flood assets in close proximity to the site.

We therefore have no objection on flood risk ground.

MCC Education - We are unable to claim against the affordable housing so have just looked at the 14 dwellings which may generate 4 secondary age pupils according to the formula.

The rate we have provided during the RLDP assessment is £29,046 so total would be £116,184

This is a cautious approach which we can review at the appropriate time, but as we will be claiming for some of the RLDP sites it seems right to be consistent at this stage

SEWBRc Search Results - Bats, otters, reptiles and dormice recorded within the vicinity of the site.

5.2 Neighbour Notification

19 representations have been received objecting to the proposed development on the following grounds. These have been divided into broad categories for ease of reference:

Principle of development

- Planning on this site has been applied for and rejected on numerous occasions previously, and nothing has changed.
- This site has been listed in the Monmouthshire Development Plan as an Area of Amenity Importance in the Conservation Area.
- It is also an important green area for wildlife and, as viewed from Raglan Castle is a beautiful vista.
- Raglan is a pleasant place to live and it attracts incomers but the school is already full and the Medical Facilities are already stretched.
- Raglan has no industries for employing extra people.
- Raglan has no public transport so these extra houses will mean that the people will have to use their cars to get to work which conflicts with Planning Policy Wales. This was one of the reasons given by the Inspector when rejecting the application by Richborough Estates the other side of the road to this site.
- The Council already own ground in Chepstow Rd. Raglan which has been passed for development for 45 homes which could accommodate any local needs.
- The proposed development is outside the development boundary of the village, as identified in the Local Development Plan.
- It is important that a significant development on a sensitive greenfield site such as this be subject to the rigours of the Local Development Plan process, rather than looking to circumvent the assessment and wider public consultation exercise that this process provides.

- Previous Precedent: MCC has recently approved 45 new dwellings in Raglan. Should this application be approved, the combined number of new houses approved will approach the number recently applied for by Richborough Estates (Application No: DM/2018/01050) directly across the road from this new proposed development. The Welsh Government intervened to reject the Richborough Estates development as it did not meet a number of its development policies (particularly with regard to the LDP strategy to justify this scale of growth, connection to services and employment opportunities, distribution of housing growth, poor performance in relation to Transport hierarchy and sustainable development). The parallels with this application and the precedent of the Richborough Estates ruling are clear and should carry considerable weight when considering this application and should lead to it being rejected.
- The infrastructure (schools, local industry, transport links and access routes) supporting Raglan are already strained.
- The infant and junior school is already oversubscribed, with some Raglan 5 to 11 yr old children and all 11 to 18 yr old children having to travel outside the village to receive education.
- All new developments should surely be on Brownfield locations.
- This is a commercial project that will benefit very few, rather than those who really need it.
- It is our understanding that the proposed site is subject to a restrictive covenant (the Ty Hir Covenant) and is classified as amenity space and agricultural land. Were the restrictive covenant to be lifted to enable the development of the proposed site, this would also impact on the surrounding parcels of land that are currently subject to the same restrictive covenant.
- Limited available sewage works capacity.
- Limited telephone exchange capacity.
- Concerned that there are not the affordable houses that first time buyers or the young families in the locality need, rather the majority will be expensive executive homes. The social housing offer appears to be included to ensure the overall development is passed.
- The Planning authority have spent significant time and resources in preparing the LDP. This application is in contradiction of the LDP. If developers are allowed to ignore or ride roughshod over the LDP, then what is the point of the LDP or even the planning authority.
- I was unable to retain a timber fence along a new boundary line adjacent to the application site as I was informed by MCC that it constitutes development in an area of amenity importance which would be contrary to the Council's planning policies as it represents an unacceptable erosion of an important area of amenity open space within the Raglan Conservation Area.
- For many years, MCC denied permission for me to use my adjacent piece of land as a garden, on the basis that I was not able to change the use from agricultural use to a residential use.

Biodiversity

- The meadow in question is a greenfield site on the edge of a rural village. It provides a valuable habitat for biodiversity in the area, including bats, owls, buzzards and newts.
- The field perimeter and hedge adjacent to Monmouth Road is home to a number of amphibians during the wetter months, these amphibians then migrate to take refuge in the field during the drier months.
- This proposal will have a negative adverse impact on the local wildlife. Living adjacent to the field, I have often spotted several different species of birds and animals there. Cutting down the row of trees along Monmouth Road could affect this habitat.
- Since 10 types of bat have been detected on this site, how many bat boxes will be placed on the site and where will they be placed, since the new homes will interrupt their flight path?

Historic Environment

- The historic sightline has been deemed so important that a number of previous planning decisions have been made as result; notably heights of houses to keep them below the ridgeline of the field in question and positioning of houses to minimise their visible impact

from the Castle. Development of this site as proposed would mean that this last historically significant sightline would be lost forever.

- The proposed development would severely impact the appearance of Raglan Conservation Area. Why have a conservation area and then allow inappropriate major developments in that area.
- It would set a precedent for major developments on green field sites in conservation areas, both in Raglan and elsewhere in Monmouthshire.
- It is a matter of public record that several previous proposed developments on this site have been rejected by MCC Planning, primarily due to the significant impact on the Raglan Conservation Area and visual amenity/green space as viewed from/to the Castle.
- The view from Monmouth Road to the Castle could easily be restored through appropriate hedge cutting.
- We cannot see how the green corridor is going to work when screening trees will be planted.
- This field has also been stated to be of historical importance dating back to the English Civil War and is said to have had links with the castle. This also needs to be addressed fully.
- Tourists will have to go into the new estate to find the viewing bench. Where will they park. How will this be a positive historical experience when surrounded by modern houses? Historical places should be kept safe for this future. Why build on this bit of history.
- The seat in the plan is situated to view the castle but the line of sight to the castle is over private ground. There is a condition in the deeds of the housing of the properties (off Old Monmouth Road) to plant a beech hedge/ tree as a border between the field and their properties. At the moment the beech trees are a hedge, but they are fairly quick growers (for privacy) and can be grown to the height of up to 100 feet. So can conifers. It is at the discretion of private owners to grow their trees directly in front of the seat, there being no preserved view. The development company cannot therefore promise a long-term view of the castle from that point.

Transport / Access

- The access to this site is very dangerous.
- The increased traffic, because of this development and the position of the intersection, will inevitably result in a potentially serious accident.
- The requirement for most people to travel by motor vehicle for work or education, at peak times (0830 to 0930hrs, 1200 to 1300hrs and 1530 to 1800hrs) means the Raglan High Street will be further congested.
- It should be noted that the Junction between Monmouth Road and the A40 dual carriageway has, in recent months, seen some major accidents.
- If you presume that each household has two cars that is 46 cars more through the village in a day. These residents are likely to use this route at least twice a day. Despite the recent lowering of speed limits, this road is already dangerous.
- Many local pedestrians also use this road to access the village facilities, so increased traffic could impact on their safety.
- Parked car on Old Monmouth Road was written off while parked.
- Before we add more housing there should really be a proper review of the existing road junction with the A40 and safety should be paramount.

Surface Water Drainage

- It is noted that there are a number of water courses proposed and several ponds. The ponds at the northern end of the proposed development are situated near to existing gardens that are approximately 2 metres below the pond location. There does not appear to be any contingency to deal with the potential overflow from the ponds. I would assume that the intention of the ponds is to be used to disperse the water over the ground. The proposed development area has numerous land drains that all disperse into the local system through the existing well and pond on Old Monmouth Road. Additional water may cause the gardens on Old Monmouth Road to flood.

- Who is going to maintain the attenuation pond? With global warming and increased rainfall, is this likely to overflow and run onto the road and onto local driveways? The proposed site of this pond always becomes very flooded in wet weather.
- Who will maintain the swales? Swales need to be mown regularly in order to work effectively.

Visual Impact

- The development will have an adverse impact on the village form and character and surrounding area.
- The design does not appear to be to scale. I have walked the boundary and cannot envisage how the implied size of the houses and gardens and garages and trees and ponds and driveways and viewing points can fit in this small field.
- The artist's interpretation of the positive green spaces - gardens, pond, green corridor appears very misleading. The actual area is much smaller than the design suggests. The street scene drawing makes the hedge on Monmouth Road appear to be at least twice its actual size.
- The development seems too large for the site that they are proposing to build upon. The proposal is to build 23 residential dwellings on this site of 2.47 acres. The nearby Barton Bridge Close/Rise was completed in the 1980s and that development has only 31 houses built upon a site of 5.58 acres.
- Overdevelopment within a rural village.
- The proposed site will be seen directly from all approaches to the village and from the castle and will look more like a crowded city street than a sympathetic development.
- The amenity space is important to local residents as it breaks up the extent of housing on the approach to the village.

Residential Amenity

- Overpopulation on such a small site will impact upon me personally. This will definitely affect the natural light and view of the castle and the nearby mountains will be eradicated. This will also significantly affect the value of my property.

Two comments in support received:

- The castle is the only building of historical and architectural significance in the Conservation Area east of the Barton brook and Edenstone Homes have preserved this view and created a layout and house design sympathetic to the area.
- Along with many others I have suffered from draconian planning restrictions on the Conservation Area and believe these should now be abolished when the castle sight-line is preserved by a public highway.
- I would prefer the field kept as a sanctuary for trees that have recovered from ash dieback but acknowledge this is not practical so suggest the Edenstone application is the best we are likely to see.

Further comments received following re-consultation on revised drawings. Object on the following grounds:

- This re-consultation deadline feels a very tight turnaround time for people to review and respond to the new documents that were posted online on 7th October relating to this planning application. Would urge you to allow extra time to enable both individuals and local organizations, such as the community council, to be more thoroughly consulted on the amended plans.
- Despite the amendments, continue to object to the development. These concerns are still valid and should be considered by the Council when considering whether this development should be allowed.
- Amended plans for this proposed development do not address any of these fundamental points that were behind the previous planning rejections.
- The existing hedge should be grubbed up, a wider footway to current standards provided and a new hedge planted a couple of metres further back from the road.

- Increased emissions from traffic will be detrimental to the Raglan Healthy Footsteps Walk of which Monmouth Road is a part.

5.3 Other Representations

Raglan Village Action Group - Objection (summary).

1. The proposal is contrary to LDP Policy DES2

The current application site was put forward as a Candidate housing site in the current LDP, but was rejected in October 2012, MCC determining that "there are compelling arguments regarding adverse historic impacts of the potential development of this site that make the proposal unacceptable."

The photographs in the Landscape and Visual Appraisal evidence the importance of the field to views from the Castle, and from Monmouth Road, Station Road and the well-used footpaths to the south.

The Edenstone application admits that the Finished Floor Levels (FFL) of the proposed houses are 50.70m AOD, i.e. the same height as the Ridge Heights of the properties immediately to the north which are 50.49 m AOD to 51.19m AOD, so the proposed Edenstone dwellings will be a towering 8.5m above the ridge heights of existing neighbouring properties, or c 16m above the thresholds of the neighbouring front doors. Again, it is impossible to argue that such dominant buildings on top of the highest part of the field will not adversely affect the quality of the open space. The topography of the field is clearly shown on Figure 2 in the Flood Consequences Assessment document.

2. The proposal is contrary to Monmouthshire LDP Policy HE1

The proposal for 23 dwellings cannot possibly credibly be described as preserving or enhancing the character or appearance of the Conservation Area or not having a serious adverse effect on significant views into and out of the Conservation Area. The proposal is unarguably in conflict with Policy HE1.

3 The proposal is contrary to Monmouthshire LDP Policy DES1

The proposal for 23 dwellings on the open space within the Conservation Area is clearly in contravention with DES1 e) as the estate shows zero respect for the natural view and panorama towards and from the castle. The proposed ridge heights towering 16m above the thresholds of the neighbouring properties immediately to the north will be highly damaging to the amenity of those neighbours.

Conclusion.

The Edenstone proposal for an estate of 23 dwellings on a designated open space which is important to the Conservation Area and the setting of Raglan Castle is unarguably in contravention of LDP Policies DES2, HE1 and DES1.

5.4 Local Member Representations

No comments received.

Please note all representations can be read in full on the Council s website:

<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

6.0 EVALUATION

6.1 Principle of Development

6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises of Future Wales: The National Plan 2040 (February 2021) and the Monmouthshire County Council Local Development Plan (February 2014).

6.2.2 Policy S1 (The Spatial Distribution of New Housing Provision) of the Local Development Plan (LDP) sets out the spatial strategy for the delivery of new housing across Monmouthshire, establishing what in essence is a settlement hierarchy. Raglan, alongside Penperlleni and Usk, is designated as a Rural Secondary Settlement. This is the third tier of the settlement hierarchy where the LDP states a modest and proportionate element of new housing is to be directed. Raglan is also identified as a Local Centre in Policy R6 (Retail Hierarchy), recognising the level of service provision within the settlement.

6.1.3 LDP Policy S2 (Housing Provision) quantifies Policy S1, setting an expectation that 75 homes would be delivered over the LDP plan period within Raglan, 14 through commitments and completions at the time of LDP adoption, 16 through windfall sites, and 45 at Land at Chepstow Road, a consented allocated site. The windfall expectations in the LDP are not limits but allowances, particularly now that the LDP has now passed its intended end date. As such, Raglan is considered an appropriate settlement for a level of new housing that is proportionate to its scale, accessibility, and range of available services.

6.1.4 The Replacement LDP, whilst at an early stage, continues to take this approach with the Preferred Strategy, through Emerging Strategic Policy S2 (Spatial Distribution of Development - Settlement Hierarchy), proposing that the settlement remains a Secondary Settlement. In practical terms, this means that there continues to be an expectation that new homes will be delivered on newly allocated and windfall sites.

6.1.5 The application site is within Raglan's settlement boundary, reflecting that it is in essence a windfall site. Policy H2 (Development in Main Towns, Severnside Settlements and Rural Secondary Settlements) states that new residential development, whether in the form of conversion, redevelopment, subdivision, or new build residential development, will be permitted within settlement boundaries subject to other policies contained within the LDP.

6.1.6 In this case the application site is designated under LDP Policy DES2 as an Area of Amenity Importance. The primary purpose of this policy is to protect and, where possible, improve the built environment by retaining the overall amenity value of the existing stock of green space. Policy DES2 does not preclude development within Areas of Amenity Importance but states that development proposals on areas of amenity importance will only be permitted if there is no unacceptable adverse effect on any of the following:

- a) the visual and environmental amenity of the area, including important strategic gaps, vistas, frontages and open spaces;

The Raglan Conservation Area appraisal (March 2016) makes particular reference to the site, Paragraph 7.3.12 noting the importance of the application site stating that:

"The field east of Hill House provides further expansive views north to the castle and Castle Farm (Fig.17). Uninterrupted views between village and castle are rare and therefore these now form a significant positive characteristic of this part of the conservation area. The field, presently rough grassland grazed by cattle, is an important green open space within the village. The open nature of this open area affords the uninterrupted views that reinforce the historic connection between the castle and village".

Based on the above, it is therefore considered that any development within this particular Area of Amenity Importance must retain the aforementioned uninterrupted views that connect the castle and the village.

As such, the proposed housing has been designed around a central corridor leading to a public open space. This will retain the openness of at least part of the site which will allow continued uninterrupted views between the castle and this part of the village. The effectiveness of the proposed layout design will be considered in detail later in this report.

- b) the relationship of the area of amenity importance to adjacent or linked areas of green infrastructure in terms of its contribution to the character of the locality and / or its ability to relieve the monotony of the built form;

All existing boundary hedges are to be retained except for the removal of a length along the southern boundary to allow access to the site. The scale and building line vary around the site with the existing houses on Monmouth Road facing the road, set back behind front gardens/driveways with beech and conifer hedges. It must be established that the layout of the proposed development includes adequate open areas to ensure that the relatively low-density built form character of this part of Raglan is retained.

- c) the role of the area as a venue for formal and informal sport, general recreation and as community space, expressed in terms of actual usage and facilities available, as well as its relationship to general open space requirements as set out in policy CRF2 (Community Facilities);

The application site is, and always has been, in private ownership meaning that there is no public access to the site which is currently agricultural in use.

- d) the cultural amenity of the area, including places and features of archaeological, historic, geological and landscape importance;

No Registered Historic Landscape, Registered Historic Park & Garden, Scheduled Monument or Listed Building, or previously recorded non-designated asset will be directly affected by any development.

During the course of preparing the application, two potential new sites of archaeological interest have been identified within the proposed development boundary. However, with appropriate mitigation (archaeological watching brief) this issue can be addressed.

- d) the nature conservation interest of the area, through damage to, or the loss of, important habitats or natural features (Policy NE1 applies)

Ecological surveys undertaken are considered sufficient to fully inform the planning application, and to make appropriate recommendations to avoid long-term impacts on key protected species present at the site.

6.2 Good Design / Place Making / Historic Environment

6.2.1 Policy LC5 (Protection and Enhancement of landscape character) of the LDP highlights that development will be permitted provided it would not have an unacceptable adverse effect on the special character or quality of Monmouthshire's landscape in terms of its visual, historic, geological, ecological or cultural aspects. This ties into LDP Policy DES1 which requires that all development be of good design.

6.2.2 The starting point for the proposed layout was to create open areas to retain and if possible, improve, the important view to the castle. Following the initial submission of the application with plans showing 23 dwellings, a revised layout reducing the number of dwellings to 21 has been submitted. The reduction in the number of units, lowers the overall density of the development, creating a more spacious layout that better integrates with the character of the area. While a smaller number of units means a slight reduction in overall housing provision, this change allows for improved site permeability, more open space, and a layout that feels less congested. The lower density therefore ensures a better balance between new development and the existing context, making the site more in keeping with the surrounding area.

6.2.3 The density of development at the site is relatively low, being approximately 2.1 dwellings per 0.1 hectare. This low density is due to the need to retain views through the site, the provision of public open space, wildlife buffers around the edge, and to reflect the general pattern of development in the immediate surroundings.

6.2.4 In terms of the detailed design, further improvements made to the proposed development including:

- Chimneys added throughout development
- Reduction in hard surfacing
- Increase in total Public Open Space area
- Formalised public garden & viewing area
- Removed stone entrance feature
- Increased planting & hedging fronting plots
- Adjusted attenuation basin shape

6.2.5 The revised layout still includes the essential elements of the original design that were introduced to mitigate the impact of the proposed development on the setting of Raglan Castle, including the central avenue providing views to the castle, planting to soften the buildings in views from the castle and the provision of a seating area with interpretation panels overlooking the castle. As such the impact of the proposed development on the setting of the castle will be similar to the original layout.

6.2.6 The built form is proposed as a traditional pattern of streets and perimeter blocks. The blocks are defined with enclosed rear gardens and frontages facing streets /public realm. The main aspect of the development will front Monmouth Road, following the existing building line. The houses located at the front of site have been designed to frame the entrance and the long distance view through the site to Raglan Castle. Other dwellings will have dual aspects and help to aid legibility and maximise active frontage at key points in the site.

6.2.7 In terms of scale, the majority of the proposed houses across the site are two-storey except for a few units whereby these are 2.5 storey. To avoid adverse impact on the setting, the higher dwellings have been located on the lower areas of the site. The density of the development is informed by the scale and density of the surrounding built environment, as well as being designed to represent an efficient use of land consisting primarily of detached dwellings with a small number of semi-detached houses.

6.2.8 The proposed houses have been designed to be traditional in appearance, being generally rectangular in shape with simple pitched roofs. The external materials have been chosen to reflect the existing surrounding built environment within Raglan. A variety of facade elements create continuity across the scheme. These include:

- Window surround details
- Bay windows
- Traditional door styles with glazed panels (grey)
- Cream render
- Reconstituted stone on key buildings (Keinton)
- Chimneys
- Render Plinths
- uPVC White with Woodgrain finish Windows

6.2.8 It is noted that the revised layout has located house types Dartford and Monnow / Ogmores at the northern part of the site with vehicle access to the north removed leaving Public Open Space overlooked but not impacted by vehicular use which is welcome. All public open spaces (including rear parking mews) are proposed to have active frontages with houses facing onto them to provide natural surveillance and an attractive edge to the development. The central green corridor provides a direct visual link to Raglan Castle from Monmouth Road. The public open space at the northern end of the site is intended to be used as a space for social interaction and a community focal point.

6.2.9 The respective ridgelines in relation to proposed ground levels have been reduced to the east of the site however the Dartford (plots 8 and 14) remain at 8.7m above ground level. The

layout change has reduced development density of the northern edge of the site. There have also been changes to roof lines and built form aspects (frontage / rear elevations as opposed to gable ends). It is considered that these amendments have improved visual connectivity from the between the castle grounds and open countryside to the south resulting in an overall improved scheme.

6.2.10 The treatment of boundaries can have a significant impact on the overall appearance of a new housing development. It is proposed that adjacent rear gardens will be divided using 1.8m high timber fencing. Where rear gardens adjoin the public realm, the boundary treatment will be stone walling. Front gardens will generally be defined by soft landscaping in the form of shrub planting and / or hedge planting.

6.2.11 It is considered that details of the materials proposed across the site should be agreed prior to commencement of development. This can be conditioned should Members be minded to approve the application.

6.3 Green Infrastructure

6.3.1 Chapter 6 of Planning Policy Wales (PPW) 12 highlights that a Green Infrastructure (GI) statement should be submitted with all planning applications and will be proportionate to the scale and nature of the development. The statement which will need to be informed by a GI assessment of the site will describe how green infrastructure will be incorporated into the proposal and how the step wise approach to protecting biodiversity, habitats and GI onsite will be managed. A step wise approach considers what impacts may occur as a result of development activity to any identified biodiversity, habitats and green infrastructure assets and networks that may be present on or bounding a site. The approach then seeks to manage any harm that may occur by (a) avoiding (b) minimising (c) Mitigate / Restore.

6.3.2 Several existing GI Assets in the surrounding area have been identified including the historic park and garden at Raglan Castle, open space areas, playing fields, a churchyard and cemetery, allotments and Raglan Park Golf Course. Public Rights of Way (PRoW) throughout the area.

6.3.3 Development proposals would result in a change to the character and use of the site. The landscape features of note on the application site boundaries would be retained where possible, and enhanced to maintain the well-established sense of enclosure provided by the existing settlement and mature hedgerow with trees along the southern boundary. The species poor grassland would be replaced by the building footprint and amenity space, natural open space, sustainable drainage features within the site.

6.3.4 In respect of the GI resource present, the development has been designed to retain and protect the valued resources listed above Proposed habitat retention, enhancement, and creation, and the benefits they provide to the ecology and GI network, include:

- The retention of trees and intact hedgerows along the boundaries with exception to a small section of removal along the southern boundary for new access requirements. In addition to continuing to provide shelter and foraging opportunities for protected and notable species, retained vegetation will be enhanced by additional planting to increase separation and privacy between the application site and existing residential development to the north, east and west;
- The re-planting of suitable trees within the existing vegetation along the southern boundary, following removal of Ash trees found to have Ash Dieback and Ash Canker disease;
- Landscaped buffers along the eastern and western edges that are inaccessible to the public (but accessible for maintenance). This would provide a secure, green edge between new and existing properties as well as undisturbed ecological corridors for
- various wildlife, including commuting bats and other protected species recorded on site;

- Sustainable drainage features that will have multifunctional benefits. Planting within swales and attenuation basins will enhance the landscape amenity of Public Open Space (POS) areas, but also providing additional foraging opportunities for badger, invertebrates and amphibians, and deliver benefits to climate regulation, adaptation and resilience. Species-rich wildflower seed mixes and bulb planting will provide abundant diversity which will support ecosystem resilience;
- An area of proposed open space along the northern edge of the Application Site. This space incorporates existing vegetation, which will be bolstered by additional tree planting to strengthen the amenity value and connectivity of the space, and the surrounding landscape. Tree planting will also aid soil stabilisation and provide shade and regulatory benefits with respect to air pollution;
- The removal of all invasive species off the site, including prevention of future spread and establishment;
- Consideration of the movement of people and wildlife, with a focus on providing movement opportunities for wildlife in protected corridors along the eastern and western edges, and movement opportunities for people through the centre of the scheme. In particular, a connection between the open space and wider footpath network (including links to Raglan Castle); and
- Consideration of the Health and wellbeing of future residents. A designated seating area within the open space is proposed that will provide views towards Raglan Castle within a well treed landscape, and Sustainable drainage systems (SuDS) features will be planted to enhance the amenity value of these drainage features.

6.3.5 Where gardens side / back onto the existing hedgerows, a 1.8m timber close board fence will form the boundary with a new hedgerow located outside the ownership of the dwelling to provide privacy.

6.3.6 A variety of pedestrian routes within the site are available. These footpaths are either integral with the street or segregated in areas of public open space.

6.3.7 Following comments noted in the PAC response section and as suggested by Cadw, an Information Board is proposed to be sited within the public open space at the northern end of the site together with a seating area to provide a formal area to enjoy views of Raglan Castle. The information board is proposed to include a description of the castle in view, what components of the castle can be seen from the site and some information as to what the view to the south would have looked like. Reference will be made to the 1852 map and to Thomas Smyth's 17th Century painting of the castle which illustrates a view from the south which shows a former approach and lake in the foreground. The board would be set on a plinth made from local stone.

6.3.8 On the basis of the above, it is considered that the proposed development has considered the step-wise approach by avoiding any statutory landscape and ecology designations, and irreplaceable habitat. Existing features on site that are considered of local value are being retained and protected during development where possible. Where losses to these habitats occur (due to site access), these are fully mitigated for within the scheme (hedgerow). The proposed development has also minimised impacts on biodiversity by selecting a site of low habitat value in poor condition that is frequent in the local area.

6.3.9 The loss of agricultural grassland habitat can be compensated for through the provision of similar grassland habitat that will provide increased diversity and quality. A new hedgerow will be provided along the northern boundary. Elsewhere, all existing hedgerows will be retained and managed, except where removal is required to provide safe access/egress onto Monmouth Road. New tree planting will be provided along the existing north-east and south-west boundary bat corridors to enhance these key wildlife habitats.

6.4 Biodiversity

6.4.1 An Ecological Impact Assessment by Wildwood Ecology has been submitted to inform the scheme. This includes an initial Preliminary Ecological Appraisal survey, as well as Phase 2 surveys for reptiles and bats.

6.4.2 A mature native species-rich hedgerow was identified along the southern boundary of the site. The hedgerow was noted to contain ash, bramble, hawthorn, oak, sycamore and a number of associated floral species. A species-poor hedgerow is also located along the western boundary. Due to the creation of a vehicular entrance and the presence of ash dieback within the southern hedgerow, part of this habitat will be lost as a result of the proposals.

6.4.3 The Landscape Masterplan confirms that native tree planting will be undertaken along the southern boundary and additional native hedgerow planting will be undertaken elsewhere on the site. This is considered to be sufficient mitigation for the loss of part of the hedgerow.

6.4.4 Bat transect surveys were undertaken in May, July and October 2022. Furthermore, static detectors were deployed on site in April, August and October 2022. A total of ten bat species were recorded by the static detectors, including light sensitive species such as lesser and greater horseshoe bats. Lesser horseshoe bats were also recorded during the May 2022 bat transect survey. Whilst two years have passed since the surveys were undertaken, it is not considered that update surveys will be required at this stage as the species composition is unlikely to have significantly changed during the intervening period. The site is 4.7km south-east of Llangovan Church SSSI which is designated for its maternity roost of lesser horseshoe bats.

6.4.5 A Lighting Report has been submitted to inform the application and demonstrate compliance with ILP Bat Conservation Trust Guidance Note 08/18 - Bats and Artificial Lighting in the UK. The report shows that light spill onto the boundary areas, which include the ecological corridors, to be minimal apart from to the south of the site where the road junction is located. The report also confirms that warm colour temperature and peak wavelengths conform with the guidance. Whilst the light spill and specification of the report are deemed acceptable, it is acknowledged that it only details the impacts of street lighting. Any external residential lighting should be low-level, downward facing and not cause light spill onto boundary habitats.

6.4.6 Ash trees were identified along the southern boundary holding low potential for roosting bats due to heavy ivy coverage. The removal of these trees should be undertaken using precautionary measures detailed within a Construction and Environmental Management Plan (CEMP).

6.4.7 The mosaic of semi-improved grassland, tall ruderal and scrub was considered to offer suitable habitat for common reptile species. Reptile surveys were undertaken between April and June 2022. The survey found a medium population of slow worms present on site, with a peak count of ten individuals. Any vegetation removal should be subject to precautionary measures to avoid causing harm or injury to reptiles present on site. Such measures should be detailed within a Construction and Environmental Management Plan (CEMP), which should be conditioned as part of any planning approval.

6.4.8 The EclA recommends that a Reptile and Amphibian Mitigation Strategy is produced subject to final development design. It is also recommended within the report that a hibernaculum is created at the south-east of the site, near the proposed waterbody. However, no such mitigation has been incorporated into the GI Plan. The Landscape Plan does include an element of mitigation by detailing the provision of ecological corridors on the east and west edges of the development.

6.4.9 Slow worm populations can adapt to residential development providing sufficient habitat is provided in the form of mature gardens and ecological corridors. Any Mitigation Strategy should detail the location and design of numerous areas of shelter positioned around the site, as well as the design of the hibernaculum at the south-east of the site.

6.4.10 Hazel dormice are known to be present within the hedgerow network of the local area, with 38 records returned from within 1km. The EclA notes that the species-rich hedgerow bounding the south of the site does offer suitable habitat in the form of bramble and hawthorn vegetation.

However, the hedgerow is isolated from the wider hedgerow network and historical survey results undertaken on the hedgerow have not found evidence of dormice presence. On this basis, it is agreed that dormice are unlikely to be present on-site but, due to the number of nearby records, precautionary measures should be adopted during the construction period and detailed within a CEMP.

6.4.11 A number of great crested newt records were returned from within 1km of the development site. The closest record is a breeding population within a pond located 369m south-east of the site, although the pond is separated from the site by Monmouth Road. A small garden pond was identified 40m to the north of the site but access was not granted for surveys to be undertaken. No waterbodies suitable for breeding were identified on-site, but potential suitable terrestrial habitat was identified. Any vegetation removal should be subject to precautionary measures to avoid causing harm or injury to reptiles present on site. Such measures should be detailed within a Construction and Environmental Management Plan (CEMP), which should be conditioned as part of any planning approval.

6.4.12 The EclA recommends that an Reptile and Amphibian Mitigation Strategy is produced subject to final development design. There is potential to enhance the site for amphibians via the creation of ponds as the landscaping design, which includes waterbodies as part of the surface water drainage proposals. However, such ponds should be permanently wet habitats with appropriate native planting and ongoing management in order to qualify as a habitat enhancement feature. The area at the south of the site, where it is currently proposed to situate an attenuation pond, could be suitable for the creation of a suitable breeding pond as it is close to the proposed location of the hibernaculum and could offer suitable adjacent terrestrial habitat.

6.4.13 A number of bird records were returned from a 1km data search of the site. Whilst no records were returned from the site itself, records of breeding swifts and house sparrows were returned from close proximity (likely associated with the nearby residential areas). The site was noted to contain a number of habitats suitable for supporting populations of nesting birds such as scrub, hedgerows and mature trees. Any vegetation clearance of these habitats should be undertaken outside of the nesting bird season (March - August). Where this is not possible, a pre-works nesting bird check should be undertaken by an experienced ornithologist. Such precautionary construction measures should be detailed in a CEMP.

6.4.14 The EclA recommends that 13x13cm will be left at the bases of fences/walls on the site, particularly along boundaries and between gardens to accommodate the hedgehog population.

6.4.15 Planning Policy Wales (PPW) 12 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 12 respond to the Section 6 Duty of the Environment (Wales) Act 2016.

6.4.16 Native tree and hedgerow planting is proposed to be undertaken throughout the site. This is welcomed and it is acceptable for the species list, planting schedule and ongoing management to be detailed within a Green Infrastructure Management Plan (GIMP). Planting should comprise predominantly native species due to their disproportionately positive impact on invertebrate fauna. Ornamental species which offer value for native species, such as pollinators, may also be adopted where evidence of such benefits are robust. The proposed native tree planting to the west of the site appears to be within the drainage feature. If this is to be acceptable, then suitable measures for management such as access provision and drainage management must be considered in the landscape maintenance plan which should be a condition on any consent that Members are minded to approve.

6.4.17 A Biodiversity Enhancement Plan has been submitted to inform the application, updated to account for the new site layout. The placement of the swift and bat boxes has been altered. During previous pre-application meetings it has been requested that in-built swift boxes were located along the main avenue of the site. Swifts are communal species, and such nest sites should be located within close proximity to each other to increase chances of utilisation. Furthermore, swifts

generally need an open area adjacent to nest sites, and locating the boxes against the edge of the site where vegetation is liable to grow and to limit such clearance areas is not preferable. Therefore, it is requested that swift boxes are relocated back to their original locations or elsewhere along the main thoroughfare of the site. This can be secured via condition.

6.4.18 Through the provision of hibernacula, and appropriate management detailed in the Reptile and Amphibian Mitigation Strategy, the site can be enhanced for the extant slow-worm population and any great crested newts. This should include an element of pond creation for biodiversity, as well as suitable planting and ongoing management. It is suggested that areas of the site for such habitat creation be marked up on the submitted Biodiversity Enhancement Plan.

6.4.19 NRW have advised that they support the precautionary approaches to habitat clearance and tree felling for bats, dormice, otter and GCN during the construction phase of the proposal and the strategy for a sensitive lighting mitigation for bats during the operational phase of the proposal. The Ecological Impact Assessment by Wildwood Ecology referred to by NRW has been included in the list of plans and documents as requested.

6.4.20 Under the Conservation of Habitats and Species Regulations 2017 it is necessary to consider whether the development should be subject to a Habitat Regulations Assessment. This is in particular reference to the impact of increased concentrations of Phosphates on designated SAC s. NRW has set new phosphate standards for the riverine SAC s of the Wye and Usk and their catchment areas. Development that may increase the concentration of phosphates levels will be subject to appropriate assessment and HRA.

6.4.21 Under the Habitats Regulations, where a plan or project is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, and where it is not directly connected with or necessary to the management of the site, the competent authority must carry out an appropriate assessment of the implication of the plan or project in view of the site s conservation objectives. Natural Resources Wales has set new nutrient standards for the river SACs in Wales. Any proposed development within the SAC catchments that might increase the amount of nutrient within the catchment could lead to additional damaging effects to the SAC features and therefore such proposals must be screened through a HRA to determine whether they are likely to have a significant effect on the SAC condition.

6.4.22 This application has been screened in accordance with Natural Resources Wales advice for planning applications within the river Special Areas of Conservation (SACs) catchments (v4 issued 28th June 2024). Based on a Test of Likely Significant Effect, the project is unlikely to have a Significant Effect on the phosphate sensitive River SAC alone. This is because there is capacity to treat additional wastewater from the proposed development within revised environmental permit limits (meaning both nutrient limits with immediate effective dates and for some permits, tighter nutrient limits with future effective dates), and the Raglan WwTW is currently operating in compliance with permit conditions.

6.4.23 Therefore, with regards to impacts from phosphates there is unlikely to be a significant effect on the River SAC and a full Appropriate Assessment is not required.

6.4.24 However, whilst the Raglan WwTW has a phosphorus consent limit of 1 mg/l and is currently compliant with this consent limit it is currently failing to comply with the 95% quartile for its flow passed forward (FPF) performance. Accordingly, DCWW have advised that there is currently a lack of hydraulic capacity in the public sewerage system and downstream WwTW to accommodate foul water flows from the development subject of this application. Notwithstanding this, in line with the environmental regulator's National Environment Programme, DCWW are required to deliver a scheme at the WwTW to ensure 95% quartile compliance with our FPF performance. Therefore, a Grampian condition, aligning to the date of delivery, is proposed that would mean no buildings on the application site shall be brought into use earlier than 31/12/2027, unless the upgrading of the public sewerage system, into which the development shall drain has been completed. As this would be within the lifespan (5 years) of the consent then this is considered an appropriate Grampian condition that meets the relevant tests of the Welsh Government Circular 016/2014 *The Use of Planning Conditions for Development Management*.

6.5 Impact on Amenity

6.5.1 Policy EP1 of the LDP provides that proposals for new buildings should have regard to the privacy, amenity and health of occupiers of neighbouring properties. In this case the nearest existing neighbouring dwellings to the application site are Caernarvon to the east and Hawthorne House to the west.

6.5.2 The proposed layout is designed as such that it is mostly garden areas that will share a boundary with these properties. The nearest proposed new dwellings have principal elevations facing onto Monmouth Road to the south so that only non-habitable gable end windows face onto the neighbouring dwellings referred to above. To the east the gable-to-gable distance is approximately 13m. To the west, Hawthorne House is oriented with the rear elevation facing the application site but again there are no windows on the western elevation of the proposed nearest new dwelling that directly face this dwelling. There will be approximately 21 - 22m between the dwellings. The orientation of the existing and proposed dwellings and the distances between them will ensure that there is no loss of privacy for either existing or future occupiers. Nor will the proposed new dwellings (which are proposed to be two-storey) appear overbearing when viewed from within the neighbouring houses or garden areas.

6.5.3 To the south, the proposed public open space will provide a buffer of at the narrowest point, 10m between any built development on the application site and the boundaries of any existing dwellings. A distance of approximately 28m is achievable between the front elevation of Plot 14 and the nearest existing dwelling to the north on Old Monmouth Road. As such, the privacy and amenity of the existing occupiers to the south of the application site will also be protected.

6.5.4 The proposed new dwellings within the site have been designed and orientated so as not to directly overlook one another while maintaining views over public areas for natural surveillance and a sense of place.

6.5.5 Policy CRF2 of the LDP provides that proposals for new residential development should provide appropriate amounts of outdoor recreation and public open space. Any provision should be well related to the housing development that it is intended to serve. This ties into Green Infrastructure policy GI1 and the current version of Planning Policy Wales (Edition 12). In this case, an area of public open space is to be provided on site by the developer. This will be available for the general public to enjoy, not just residents of the proposed new development. A financial contribution towards the improvement of existing local play areas will also be sought as part of a Section 106 agreement should Members be minded to approve the application. See also Section 6.10 below.

6.6 Transport

6.6.1 Sustainable Transport Hierarchy

6.1.6.1.1 The application site is conveniently located within a village, within walking/cycling distance to primary education, retail and the post office, and small employment sites. Active travel access to local bus services is also good. NCN 423 runs directly past the site. The site also has direct access to national Cycle Route 423, which then connects to the wider national cycle network.

6.1.6.1.2 As such, the application site is considered to be an appropriate location for new residential development.

6.6.2 Access / Highway Safety

6.6.2.1 The Transport Statement submitted with the application has assessed the effect of the traffic impact from the proposed development of 23 residential dwellings (as originally proposed) on the local highway network. The projected trip rates from the proposed development have been obtained from the TRICS database which is the recognised database for trip rate information. The

projected trip rates in the AM peak period are projected at 11 two-way trips and 10 two-way trips in the PM peak period.

6.6.2.2 Highways have considered the submitted data it is accepted that the level of traffic proposed from the development will have no adverse impact on the safety and capacity on the local network. This was based on 23 dwellings and therefore it also follows that 21 dwellings will generate slightly fewer trips and are also therefore acceptable in terms of impact on the wider highway network.

6.6.2.3 It should be noted that the A40 is a Trunk Road and is therefore the arrangement of the junction with Monmouth Road is under the control of the Welsh Government.

6.6.2.4 A single vehicular access point is proposed onto the site via Monmouth Road. Visibility splays of 2.4m x 12.9m have been demonstrated as being achievable which meets the necessary common standards.

6.6.2.5 An existing footpath runs along Monmouth Road linking the site to the village centre. There are concerns raised by Highways that the footway on the eastern side of the junction is below the standard width of 2m. The plans now show this being improved to a minimum width of 2m along the full site frontage. This will require the removal of a number of Ash in the hedge suffering from Ash Dieback. Their removal, along with the positive management of the hedge and removal of non-native species, allows for the creation of the footway which at present is not far off being 2m wide in any case.

6.6.2.6 Only the main spine road and turning head would be considered for adoption as public highway and the shared accesses for dwellings would remain private. While normally only 5 dwellings are acceptable off a private road, 7 dwellings are shown to be accessed from one area of private road in the latest proposed layout. These dwellings are all to be affordable and are all likely to be managed by a single social housing provider making ongoing maintenance of the road and parking areas easier to control. Various layouts have been looked at which reduced the number of dwellings from a single private drive but these result in a loss of open space and therefore on balance, the layout proposed is considered to be acceptable.

6.6.3 Parking

6.6.3.1 Car-parking provision follows the guidelines established in Monmouthshire Parking Standards, 2013 at a rate of one space per bedroom (up to a maximum of 3). Car parking provision has been catered for in a variety of ways, including on plot via driveways, on-street and small mews courts. Garages have been provided for the larger dwellings only. These will be detached and set back to the rear of the houses and meet the internal size requirements for parking. Cycle storage has been located within either the garages or separate secure rear gardens storage.

6.7 Affordable Housing

6.7.1 There are currently 2113 households on the Monmouthshire Common Housing Register with an identified housing need waiting for a house in this area. Raglan is covered by the Rural Allocations Policy meaning that the Affordable Housing will be prioritised to applicants with a local connection to Raglan initially, followed by the neighbouring communities of Llanarth, Mitchel Troy, Trellech United, Devauden, Llangwm, Llantrissant Fawr and Gwehelog Fawr. There are currently 147 households in housing need with a local connection to one of the above-named communities, of these the majority require one-bedroom homes (59%), followed by two-bedroom homes (27%).

Number of units (21 @ 35% = 7.35 units)

2-person 1 bed flat 4
4-person 2 bed house 3
5-person 3 bed house 1

6.7.2 The proposal is to go above the minimum requirements of the Welsh Development Quality Requirements 2021 and provide homes that are highly insulated and that need less energy is welcome.

6.8 Flooding

6.8.1 The site is within Flood Zone A (Considered to be at Little or No Risk of Fluvial or Coastal/Tidal Flooding) in the current Development Advice Maps and Flood Zone 1 in the emerging Flood Map for Planning. Neither map identifies the site as being at risk of surface water flooding.

6.8.2 A Flood Consequences Assessment and Drainage Strategy and Engineering Layout Sheet 1, drawing number 100-1, revision F and Engineering Layout Sheet 2, drawing number 100-2, revision D has been included in the list of documents and plans that will appear on any decision and referred to by condition as requested by NRW.

6.9 Surface Water Drainage

6.9.1 The applicants have demonstrated a means of surface water discharge (rainwater harvesting, infiltration, watercourse, surface water sewer or combined sewer). This will be subject to separate drainage approval for installation of the new surface water pipe under the Monmouth Road to the Barton Brook.

6.9.2 The development will be subject to formal SAB consent prior to commencement of development. Management and maintenance of the surface water drainage features such as ponds and swales will be fully addressed during the SAB consent process.

6.10 Planning Obligations

6.10.1 Based on MCC s adopted standards of off-site recreation a contribution of £3,132 per dwelling would be required to be spent within Raglan (potentially towards a new Community Hub and associated facilities). In terms of play equipment, there is a move towards more informal, wild play, away from fixed Local Areas of Play which are under-used and expensive to maintain.

6.10.2 A contribution will also be sought for supporting sustainable transport (such as buses) in the local area.

6.10.3 Due to increased footfall as a result of the additional houses, a contribution of £1500 would be expected towards the maintenance of Public Rights of Way in the area.

6.10.4 Education contributions will be required for this development. Taking into account the open market dwellings only, the rate provided during the RLDP assessment is £29,046 per unit so the total education contribution would be £116,184.

6.11 Response to the Representations of Third Parties and/or Community/Town Council

6.11.1 The principle of residential development at the site is addressed in Paragraph 6.1 above including in relation to the designation of the site as an Area of Amenity Importance. Previous refusals of planning applications on or near to the site do not hold any weight as each application must be considered on its own merits having regard to the detailed design and local and national policies. Similarly, allowing this development would not set a precedent for major developments on green field sites in conservation areas, in Raglan or elsewhere in Monmouthshire for the same reasons. Other general objections are addressed in the following paragraphs.

6.11.2 There is no evidence that the proposed new housing site will overwhelm local services.

6.11.3 Any Covenants (if found) upon the land precluding residential development would need to be lifted prior to commencement of development *outside of the planning process*.

6.11.4 DCWW have confirmed that there is capacity within the local Waste Water Treatment Works.

6.11.5 It is a requirement of LDP Policy that 35% of dwellings on all major residential developments are available for local affordable housing providers. On smaller sites such as this, it may be necessary for the private dwellings to be larger so as to make the overall site economically viable.

6.11.6 In terms of sustainable transport, while it is acknowledged that public transport in and out of Raglan is poor, the village itself does offer a range of services that are all within easy walking distance. It should also be noted that there has been a significant increase in people working from home since the Covid 19, reducing the frequency for the need to commute to a central place of work.

6.11.7 In terms of the accepted historic sightline across the site to the castle, the layout of the proposed development has been carefully designed to retain and enhance this view by keeping built development to either side, frame the view with a central avenue and create a new green space where the public can enjoy views. At present there is no public access to the site, or views across due to existing hedgerows which the Council has no control over in terms of cutting back. Noting that nobody can promise a long-term view of the castle from the view point due to intervening private land, the opening up of the site to the public will be an improvement on the existing situation.

6.11.8 The historic importance of the field and view has been considered by both Cadw and the Council's Heritage Officer who have both agreed that the development proposed is acceptable in this context.

6.11.9 The value of private dwellings is not a material planning consideration.

6.12.10 Highway safety is addressed in Paragraph 6.6.2 above.

6.13 Well-Being of Future Generations (Wales) Act 2015

6.13.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.14 Conclusion

The application site is within the Raglan settlement boundary as defined under LDP Policy S1.

Raglan is considered an appropriate settlement for a level of new housing that is proportionate to its scale, accessibility, and range of available services.

Public open areas within the site mean that the important historic view of the castle will be retained and therefore there will be no adverse impact on land designated as an Area of Amenity Importance.

There are no grounds for objection based on the proposed access and parking or wider impact on highway safety.

The development will protect existing Green Infrastructure features and provide net gain in terms of public open space and biodiversity.

There will be no adverse impact on the River Usk SAC.

7.0 RECOMMENDATION: APPROVE

Subject to a 106 Legal Agreement requiring the following:

1. Seven of the dwellings to remain affordable in perpetuity.
2. £29,046 per open market dwelling for the provision of education (14 dwellings at £29,046 = £116,184).
3. A sum of £1500 to contribute to improvements to the local PROW network including GI improvements associated with the PROW network.
4. A combined off-site play and adult recreation contribution of £3,792 per dwelling to be spent on improved facilities within the local area of Raglan settlement to include improvements to play provision and associated GI assets and habitat.
5. To enter into a Section 278 with the Highway Authority for the construction of the approved means of access onto Monmouth Road including footway provision outside of the application site boundary.

S106 Heads of Terms

If the S106 Agreement is not signed within 18 months of the Planning Committee's resolution then delegated powers be granted to officers to refuse the application.

Conditions:

1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

REASON: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

4 No buildings on the application site shall be brought into use earlier than 31/12/2027, unless the upgrading of the public sewerage system, into which the development shall drain has been completed and written confirmation of this has been issued to the Local Planning Authority by Dwr Cymru Welsh Water.

REASON: To prevent further hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

5 No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

6 Samples of the proposed external finishes shall be agreed with the Local Planning Authority in writing before works commence and the development shall be carried out in accordance with those agreed finishes which shall remain in situ in perpetuity unless otherwise approved in writing by the Local Planning Authority. The samples shall be presented on site for the agreement of the Local Planning Authority and those approved shall be retained on site for the duration of the construction works.

REASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1.

7 Prior to the commencement of development full and comprehensive details of soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- Detailed scaled plans, showing existing and proposed levels inclusive of proposed cross section and RPA.
- Proposed and existing utilities/services above and below ground.
- Soft landscape details for landscaping both private frontage and public strategic to include planting plans, specifications including species, size, density, number and location, cultivation and other operations associated with planting and seeding establishment, inclusive of SUDS green engineering. o Hard landscape materials to include surfacing, SUDs, location of proposed lighting, fencing, gates and access path, minor artefacts and structures (e.g. signs, bins, stores,).
- Lighting strategy
- Details of the proposed LAP and associated low level play equipment ref plan 110_B (LANDSCAPING PLANS) GREEN INFRASTRUCTURE PLAN
- Details of the proposed information board 110_B (LANDSCAPING PLANS) GREEN INFRASTRUCTURE PLAN

REASON: In the interests of visual and landscape amenity; in accordance with Policies DES1 & LC1/5 of the Local Development Plan.

8 A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority prior to works commencing and shall include details of the arrangements for its implementation inclusive of roles and responsibilities. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features.

9 All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and ensure the provision afforded by appropriate Landscape Design and Green Infrastructure LC5, DES 1, S13, and GI 1 and NE1.

10 A Green Infrastructure Management Plan shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development. The content of the Management Plan shall include the following;

a) Description and evaluation of Green Infrastructure assets to be identified, protected and managed in the GI management plan.

a. Trees, Grassland, Shrubs and hedgerows inclusive of strategic planting to compensate for loss

b. Green corridors c. SUDs, Water bodies

b) Opportunities for enhancement to be incorporated

- a. Management of hedgerows and wildflower grassland for botanical species diversity and / or protected species including reptiles
- b. Management of tree, understorey and hedge and wood buffer strips to increase and maintain diversity, connectivity and screening
- c. Maintain GI and habitat connectivity through and or around the perimeter of the site for species
- c) Trends and constraints on site that might influence management of above features.
- d) Aims and objectives of management.
- e) Appropriate management options for achieving aims and objectives.
- f) Prescriptions for management actions inclusive of landscaping, landscape planting and SUDS.
- g) Preparation of a landscape maintenance and habitat management work schedule (including an annual work plan capable of being rolled forward over a twenty-year period).
- h) Details of the body or organization responsible for implementation of the plan.
- i) Ongoing monitoring and remedial measures.

The Management Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery as appropriate. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the Green Infrastructure Management Plan are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning Green Infrastructure objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

REASON: To maintain and enhance Green Infrastructure Assets in accordance with LDP policies, DES1, S13, GI1, NE1, EP1 and SD4. (Legislative background - Well Being of Future Generations Act 2015, Planning (Wales) Act 2015 Environment (Wales) Act 2016).

11. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction on the following protected species(may be provided as a set of method statements):
 - i. Bats
 - ii. Nesting Birds
 - iii. Reptiles
 - iv. Amphibians
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: To safeguard species protected by the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010.

- 12 The approved 'Biodiversity Enhancement Plan' drawing by the Environmental Dimension Partnership, which illustrates the position of the biodiversity net benefit features, shall be implemented in full and shall be retained as such in perpetuity. Evidence of compliance with the plan in the form of georeferenced photographs must be provided to the LPA no more than three months later than the first beneficial use of the development.

REASON: To provide biodiversity net benefit and ensure compliance with PPW 12, the Environment (Wales) Act 2016 and LDP policy NE1.

13 No development shall take place (including demolition, ground works, vegetation clearance) until a Reptile and Amphibian Mitigation Strategy has been submitted to and approved in writing by the local planning authority, as recommended in the Ecological Impact Assessment report by Wildwood Ecology. At a minimum, this should detail:

i. Appropriate long-term management to ensure amphibian and reptile populations on site are retained and enhanced

ii. An appropriate level of habitat creation across the site for reptile and amphibian species

REASON: To safeguard species protected by the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010.

14. Prior to any works commencing on site a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the local planning authority, the CTMP shall take into account the specific environmental and physical constraints of the adjoining highway network. The CTMP shall include traffic management measures, hours of working, measures to control dust, noise and related nuisances, measures to protect adjoining users from construction works, provision for the unloading and loading of construction materials and waste within the curtilage of the site, the parking of all associated construction vehicles. The development shall be carried out in accordance with the approved CTMP.

REASON: In the interests of highways safety and to ensure compliance with Policy MV1

15 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A B C D E F & H of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) no enlargements, improvements or other alterations to the dwellinghouse or any outbuildings shall be erected or constructed.

REASON: To safeguard the residential amenity of future occupiers as well as to preserve the character and appearance of the Raglan Conservation Area in accordance with Policies DES1, EP1 and HE1.

16 Notwithstanding the provisions of Article 3, Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no fence, wall or other means of enclosure other than any approved under this permission shall be erected or placed without the prior written approval of the Local Planning Authority.

REASON: To preserve the character and appearance of the Raglan Conservation Area in accordance with Policies DES1 and HE1.

INFORMATIVES

1 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

2 As of 7th January 2019, all construction work in Wales with drainage implications, of 100m² or more, is now required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water (whether they require planning permission or not). These SuDS must be designed and constructed in accordance with the Welsh Government Standards for Sustainable Drainage.

The SuDS Approving Body (SAB) is a service delivered by the Local Authority to ensure that drainage proposals for all new developments of at least 2 properties OR over 100m² of construction area are fit for purpose, designed and built in accordance with the National Standards for Sustainable Drainage published by Welsh Ministers.

If you are in any doubt as to whether you require SAB approval, please contact:

SAB@monmouthshire.gov.uk

For advice regarding the application process and general enquiries - 01495 768306

For technical advice regarding your SuDS design and meeting the National Standards - 01633 644730

3 The Naming & Numbering of streets and properties in Monmouthshire is controlled by Monmouthshire County Council under the Public Health Act 1925 - Sections 17 to 19, the purpose of which is to ensure that any new or converted properties are allocated names or numbers logically and in a consistent manner. To register a new or converted property please view Monmouthshire Street Naming and Numbering Policy and complete the application form which can be viewed on the Street Naming & Numbering page at www.monmouthshire.gov.uk This facilitates a registered address with the Royal Mail and effective service delivery from both Public and Private Sector bodies and in particular ensures that Emergency Services are able to locate any address to which they may be summoned. It cannot be guaranteed that the name you specify in the planning application documents for the address of the site will be the name that would be formally agreed by the Council's Street Naming and Numbering Officer because it could conflict with the name of a property within the locality of the site that is already in use.

4 All birds are protected by the Wildlife and Countryside Act 1981. The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most birds is between March and September.

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Application Number: DM/2023/01387

Proposal: Erection of two dwellings

Address: Crossways Farm, Kingsmark Lane, Chepstow, NP16 5LZ

Applicant: C Hawkins

Plans: Block Plan 2380_2 - , All Existing Plans 2380_3 - , Elevations - Existing 2380_4 - , Block Plan 2380_5 b - Rev B, All Proposed Plans 2380_6a - Proposed Plans Plot 1, Elevations - Proposed 2380_7 - Plot 1, All Proposed Plans 2380_8a - Plot 3, Elevations - Proposed 2380_9 - , All Drawings/Plans 2380_10 - , Elevations - Proposed 2380_11 - Farm House Proposed Elev, Location Plan 2380_1 - , Drainage Storm Water Drainage Strategy - Steve Morgan Ass, Drainage Strategy Plan - DR 700 Rev A, Other GI Statement - Liddel Asscs.

RECOMMENDATION: Approved subject to S106 agreement

Case Officer: Kate Young
Date Valid: 06.10.2023

This application is presented to Planning Committee due to the number of unresolved objections received

1.0 APPLICATION DETAILS

1.1 Site Description

The application site comprises a detached, two-storey dwelling known as Crossways Farm. The property has a traditional design and is constructed of stone with brick detailing. The property fronts Kingsmark Lane while vehicular access is gained from Wintour Close, a residential cul-de-sac that bounds the property to the west/rear. The property is located centrally within the plot with amenity areas surrounding the property and a parking area located to the north of the site.

The site is located within the Chepstow Development Boundary of the Local Development Plan (LDP).

1.2 Proposal Description

The current, full application seeks the erection of two detached properties, one on either side of the main house. The vehicular access for all three properties would be from Wintour Close although the properties would front onto Kingsmark Lane. The single-story element of the host dwelling would be demolished to accommodate the proposed development. The new dwellings would be finished in natural stone and brick with natural slate on the roof.

The application is supported by the following documents:

- Ecology Report
- Drainage Strategy.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
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DM/2023/01387	Erection of two dwellings.	Pending Determination	
DC/2013/00794	Part change of use to childminding service. Property still to be used as residential dwelling also.	Approved	19.12.2013
DC/2006/01245	Residential development (outline).	Approved	01.03.2007

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision
S4 LDP Affordable Housing Provision
S12 LDP Efficient Resource Use and Flood Risk
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design

Development Management Policies

H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements
SD4 LDP Sustainable Drainage
GI1 LDP Green Infrastructure
NE1 LDP Nature Conservation and Development
EP1 LDP Amenity and Environmental Protection
MV1 LDP Proposed Developments and Highway Considerations
DES1 LDP General Design Considerations

Supplementary Planning Guidance

Affordable Housing SPG July 2019:
<https://www.monmouthshire.gov.uk/app/uploads/2019/09/Final-Adopted-SPG-July-2019.pdf>

Infill Development SPG November 2019:
<https://www.monmouthshire.gov.uk/app/uploads/2020/02/Appendix-2-Infill-Development-SPG-Latest-Version-for-Final-Adoption-2020-Dave-adjustments-00000002.pdf>

Domestic Garages SPG (January 2013):
<http://www.monmouthshire.gov.uk/app/uploads/2015/07/Domestic-Garage-SPG-Jan-2013.pdf>

Monmouthshire Parking Standards (January 2013)
<http://www.monmouthshire.gov.uk/app/uploads/2015/07/Mon-CC-Parking-Standards-SPG-Jan-2013.pdf>

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

Planning Policy Wales (PPW) Edition 12

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Chepstow Town Council - Recommends Approval.

Dwr Cymru - Welsh Water - No objection subject to conditions

We have reviewed the information submitted as part of this application and note that the intention is to drain foul water to the public sewer to which we offer no objection in principle. We also note that surface water will be disposed of via sustainable means and welcome this approach.

Heneb (formerly Glamorgan Gwent Archaeological Trust - GGAT) - No objection.

MCC Highways - No objection

Lead Local Flood Authority and SuDS Approval Body - No objection, SAB approval will be required.

The application has now demonstrated a means of surface water discharge.

MCC Ecology - No objection subject to conditions.

5.2 Neighbour Notification

Letters received from five addresses.

Broadly supportive of this application

Pleased that the two walnut trees will remain and that a large part of the original house will remain

It is pleasing to see that the bats and birds have been considered

It is a shame that the tree bordering the rear of our property, would be removed to enable parking

The access should be off Kingsmark Lane

Increase in traffic on Wintour Close

More trees will lead to more leaves falling to the ground which is dangerous and will lead to loss of light to nearby houses
New dwellings not in character with the street scene
Disruption during construction
Placing the two new driveways on Wintour Close will increase a risk of collision, as it is a small cul-de-sac road with a blind bend
Plot 1 could move forward in the plot
May lead to more parking on the road
The existing Ash Tree is too close to neighbour's property
Adverse impact on ecology
Building two more dwellings will look crowded and unpleasant.

5.3 Other Representations

None Received

5.4 Local Member Representations

None Received

Please note all representations can be read in full on the Council's website:
<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

6.0 EVALUATION

6.1 Principle of Development

Planning Policy Wales (PPW) 12 states that proposals for housing on infill and windfall sites within settlements should be supported where they accord with the national sustainable placemaking outcomes. With regard to this proposal, the site is located within the Chepstow Development Boundary. Policy S1 of the LDP says that the main focus for new housing development is within Main Towns and the Severnside sub-region; Chepstow is designated as a Main Town. Policy H1 of the LDP supports new residential development within development boundaries, subject to detailed planning considerations. The principle of new residential development in this location is acceptable in policy terms. The site occupies a sustainable location being within cycling and walking distance of the facilities in Chepstow town centre as well as local schools and public transport.

This application needs to be considered against the Infill Development Supplementary Planning Guidance that was adopted in November 2019.

6.2 Infill Development

Character

The Infill Development Supplementary Planning Guidance (SPG) states that the proposed dwelling must respect the scale, form and massing of existing development in the area. This area of Chepstow is dominated by modern detached dwellings with the exception of Crossways Farm itself. Most of the surrounding properties are detached two-storey houses but there are some bungalows opposite the application site. The proposed new dwellings would front onto Kingsmark Lane and would continue the rhythm of the street scene. The footprint of the proposed dwellings, while smaller than those of Crossways Farm itself and Kingsmark House to the north, are similar in size to the properties on Wintour Close to the rear and the new dwelling to the south of Crossways Farm.

Distance between buildings

The SPG says that all proposals need to provide sufficient gaps between buildings to minimise any overbearing and overshadowing impact on the residential amenity of neighbouring properties. Part

7.1 looks at Privacy and Amenity. The key considerations relating to privacy and amenity for small-scale infill residential development are:

- a. whether the plot would have adequate privacy to habitable rooms and private garden space;
- b. whether a new house(s) on the plot would affect the privacy of neighbours;
- c. whether a new house(s) on the plot would affect the host dwelling.

In this case the plot is of sufficient size to accommodate two new dwellings with sufficient parking provision and private amenity space. The principal elevations containing most of the windows are facing east and west with adequate privacy distances involved. Both new plots have small first floor windows on the side elevations, these all serve bathrooms or landings, not habitable rooms. The proposed new dwellings would not affect the privacy of the host dwelling. Immediately to the north of plot 1 is Kingsmark House and this has no windows on the side elevation. There would be approximately 2.5 metres between the side elevation of Kingsmark House and the side elevation of plot 1. The front elevation of plot 1 is set slightly further from the road than the front elevation of Kingsmark House. To the south of plot 3 is Meadowlands, and on the side elevation facing into the plot that dwelling has a ground floor door and a first floor window. There would be approximately 2.5 metres between the side elevations of both of these properties. Plot 3 would have one first floor window serving a bathroom on the south elevation, Meadowlands has one first floor window on the side elevation; these two windows would not line up and therefore the proposal would not cause unacceptable loss of privacy for the occupiers of Meadowlands.

6.3 Sustainability

The LDP and PPW encourage sustainable development. This is a sustainable location for new housing development being located within the Chepstow Development Boundary. The site is within cycling and walking distance to the town centre as well as to local schools, health care facilities and public transport. The proposal would accord with a key objective of PPW by providing residential accommodation in a sustainable location.

6.4 Good Design and Place Making

The application seeks the erection of 2no. two-storey detached dwellings fronting onto Kingsmark Lane. The design and finishing materials of the proposal is acceptable and respects the character of the area. Policy DES1 of the LDP requires that new dwellings contribute to a sense of place while their intensity is compatible with existing uses. The residential properties surrounding this site are predominantly modern in style, most are two-storey detached properties although there are some bungalows on the opposite side of Kingsmark Lane from the application site. The form, scale and massing of the new dwellings are acceptable and the proposal will respect the character of the area and the surrounding properties, therefore according with the objectives of Policy DES1 of the LDP, which requires that all development shall be of a high quality, sustainable design and respect the local character and distinctiveness.

6.5 Landscape

The gardens around the site were mostly laid to well mown lawn with some areas of hardstanding. Some trees were present including fruit trees close to the east elevation of the house and north of the house, with holly and lilac trees at the south-east and south-west corners.

There were also two larger walnut trees, as well as an elder tree, at the north-west corner of the site adjacent to the garage building.

The proposed site plan shows some of the existing trees on the site being retained and also indicates that new trees will be planted, with these being indigenous species including Silver Birch, Rowan and Hawthorn. The existing stone wall surrounding the site will be retained, except where required to gain access to the parking areas. Close-boarded fences would be erected within the site to define the garden areas of the new dwellings. The proposal is considered to integrate well into the landscape and provide a sense of place in accordance with LDP Policy DES1.

6.6 Impact on Amenity

The impact on residential amenity has been considered in detail at the start of this report, in connection with compliance with the adopted Infill Development SPG and impacts are considered acceptable and policy compliant.

6.5 Ecology

Bats

An Ecology Assessment and Bat Survey report (produced by Abbey Sanders, dated 4th October) has been submitted with the application. The bat survey has been undertaken in accordance with the good practice recommendations. The roost assessment identified moderate potential for bats and two roost presence/absence surveys were carried out in suitable weather conditions and with a suitable number of surveyors to cover the building. Low numbers of common pipistrelle bats were observed emerging from three locations on the building. The roost is characterised as a non-breeding day roost. The roost features will not be lost as a result of the proposals and will be retained in situ.

The development will need to be subject to a licence from Natural Resources Wales before work can commence at the site. As a licence is required, the Local Planning Authority will need to consider the 'Three Tests' for European Protected Species. The LPA need to consider tests i) and ii); test iii) has been considered by Natural Resources Wales (NRW). Under guidance from NRW, this proposal has been identified as a lower risk case and as such test iii) is considered to be met.

Habitats

The grounds of the building are mainly lawn with several trees of varying sizes. Two medium-sized trees and four smaller trees (three near the house and one by existing parking) will be lost to the proposal. Paragraph 6.4.42 of PPW12 states that permanent removal of trees should only be permitted where this would achieve significant benefit and where loss is unavoidable compensatory planting will be required at a minimum ration of at least three trees for every one lost. The proposed block plan shows ten newly planted trees, but given the constraints of the site, the number of replacement trees proposed would be appropriate.

Net Benefit

The existing bat roosts will be retained in situ and replacement tree planting must be provided. To provide net benefit for biodiversity the ecology report has recommended additional bat boxes and bird boxes on the retained house and each net build. The number of features is proportionate to the scale of the proposal, and it is recommended that they are added to any approved plans. While in this instance the boxes have not been added to the plans, they are referenced in the GI Statement and there is sufficient detail to secure the delivery of the boxes. These biodiversity enhancements are commensurate with the scale of the proposed development. This will ensure that the provisions of Policy NE1 of the LDP are met with regard to providing biodiversity enhancements.

Green Infrastructure Statement

A Green Infrastructure Statement produced by Liddell and Associates has been submitted with the application. The Statement is proportionate to the scale of the development and references the ecology report for biodiversity features that will be provided to maintain and enhance biodiversity.

6.8 Highways

6.8.1 Sustainable Transport Hierarchy

PPW12 refers to the Sustainable Transport Hierarchy where walking and cycling are the highest priority and public transport second with private motor vehicles being the least desirable. In this case the site is in an existing residential area within easy walking distance of the town centre.

6.8.2 Access / Highway Safety

It is proposed that the new dwellings will all have vehicular access and parking provision to the rear, off Wintour Close. This is considered acceptable in respect of LDP Policy MV1.

6.8.3 Parking

The adopted Monmouthshire Parking Standards require one off street parking space per bedroom up to a maximum of three for each dwelling, including the host dwelling. Plot 1 would utilise the existing three spaces to the north of the site. The existing property Crossways Farm and Plot 3 would both have three car parking spaces each directly accessed of Wintour Close. Following review of drawing '2380/5b' Highways are satisfied that the proposed access and car parking provision now meets the standards contained in the Monmouthshire Car Parking Standards and offer no objection to the proposal.

6.9 Affordable Housing

LDP Policy S4 requires affordable housing contributions to be made in relation to developments which result in the net gain in residential dwellings. Where the net gain in dwellings is below the threshold for affordable units to be provided on site, which is 5 or more units in Chepstow, then a financial contribution is appropriate. The financial contribution is based on floor area and the calculation contained in Appendix 3 of the Affordable Housing Supplementary Planning Guidance (July 2019). The amount of affordable housing proposed may be based on a viability assessment.

Formula: Financial Contribution = Internal Floor Area (m²) x CS Rate x 58%.
In Chepstow the CS rate is £120

Plot 1 has an internal floor area of 123m² therefore the contribution will be £8560.00

Plot 2 has an internal floor area of 98m² and therefore the contribution will be £6820.00

The applicant has confirmed they accept the payment and are willing to enter into a Section 106 agreement. The proposal accords with Policy S4.

6.10 Flooding

The site is not in a designated flood zone identified in the DAM maps of TAN 15 or the Flood Maps for Planning in the emerging TAN 15 therefore the site is at no particular risk of flooding from surface water or main rivers.

6.11 Drainage

6.11.1 Foul Drainage

The foul water will connect to a mains sewer. This complies with the advice from NRW that in a sewered area the preference is to connect into a mains sewer. Welsh Water have offered no objection to the proposal but request a condition that surface water shall not connect with the public sewerage network in order to prevent hydraulic overloading of the public sewerage system.

6.11.2 Surface Water Drainage

The applicant has indicated that surface water discharge will be by way of a soakaway, and the site appears of sufficient size to accommodate this. The scheme will require a sustainable drainage system designed in accordance with the Welsh Government Standards for sustainable drainage and approval by the SuDS Approving Body (SAB) prior to any construction work commencing. The application has demonstrated a means of surface water discharge.

6.14 Planning Obligations

If the application is to be approved then a financial contribution for affordable housing in the local area will be required.

6.15 Response to the Representations of Third Parties and/or the Town Council

Several local residents have written in to say that they object to the proposed scheme. The main concern over residential amenity has been discussed in the main body of the report. The position of the two new dwellings complies with the advice given in the SPG on Infill Development. There is also concern that the dwellings are too big for the plot and that they are out of character with the area. The two new plots are of a commensurate size to surrounding properties. The proposed new dwellings are of a similar footprint to other dwellings to the south of the plot. And their form and massing are comparable with other dwellings in this area. The proposal will not have an adverse impact on the street scene as they are set back in the plot and will not be visually prominent from public vantage points. The impact of the increase in traffic generated by two additional dwellings, on the surrounding road network has been addressed and Highways offer no objection. Provided that only foul water enters the public sewerage system Welsh Water has offered no objection. The surface water will not enter the public sewer as it will be the subject of a separate SAB application. There will inevitably be some noise and disturbance during the construction phase but this is only temporary and a condition will be imposed restricting construction hours.

6.16 Well-Being of Future Generations (Wales) Act 2015

The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.17 Conclusion

The site is located within the Chepstow Development Boundary. Policies S1 and H1 of the Local Development Plan presume in favour of new residential development within development boundaries. The proposal accords with a key objective of PPW12 providing residential accommodation in a sustainable location. The proposed dwellings will respect the scale, form and massing of existing development in the area. The proposed dwellings do comply with the guidance set out in the adopted SPG on Infill Development and will not result in a significant loss of outlook or privacy to the occupiers of the existing neighbouring properties in accordance with the objectives of policies DES1 and EP1 of the LDP. Highways have no objection to the proposal which complies with the adopted parking standards and policy MV1 of the LDP. The proposal accords with Policy S4 of the LDP by providing a financial contribution for affordable housing in the area.

The scheme will provide adequate biodiversity enhancements in accordance with Policy NE1 of the LDP.

In conclusion, the application is considered to be policy compliant in all respects and is presented to Committee Members with a recommendation for approval.

7.0 RECOMMENDATION: Approve

Subject to a 106 Legal Agreement requiring the following:

- a financial contribution for affordable housing in the local area.

S106 Heads of Terms

If the S106 Agreement is not signed within 6 months of the Planning Committee's resolution then delegated powers be granted to officers to refuse the application.

Conditions:

- 1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

4 Before the approved development is first occupied all of the access and parking provision shall be constructed in accordance with the approved plan.

REASON: To ensure off street parking provision is constructed and available for use, in the interests of highway safety and to ensure compliance with LDP Policy MV1.

5 Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Construction Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Construction hours for this development shall be limited to:

0800hrs to 1800hrs Monday to Friday

0800hrs to 1300hrs Saturdays

No work on Sundays or bank holidays

REASON: To protect the amenity of local residents during the construction phase in accordance with Policy EP1 of the LDP.

6 Works shall be carried out in accordance with the mitigation described in the submitted report "Ecology Assessment and Bat Survey, produced by Abbey Sanders, dated 4th October". The mitigation shall be implemented in full and any subsequent amendments provided to the Local Planning Authority for record and enforcement purposes.

Reason: To safeguard species protected under the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended).

7 Ecological enhancements shall be provided as described in the submitted report "Ecology Assessment and Bat Survey, produced by Abbey Sanders, dated 4th October" and "Green Infrastructure Statement, produced by Liddell and Associates, dated 14th March 2024". The enhancements shall be implemented in full and shall be retained in perpetuity.

Reason: To provide ecological net benefit on the site as required by the Environment (Wales) Act 2016, Planning Policy Wales and LDP Policy NE1.

INFORMATIVES

It should be brought to the attention of the applicant that in the event of a new or altered vehicular access being formed, the requirements of Section 184 of the Highways Act 1980 must be acknowledged and satisfied. In this respect the applicant shall apply for permission pursuant to Section 184 of the Highways Act 1980 prior to commencement of access works via MCC Highways.

Warning: A European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a

licence from Natural Resources Wales on 0300 065 3000 or at [https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected\[1\]species/?lang=en](https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected[1]species/?lang=en)

NESTING BIRDS: Please note that all birds are protected by the Wildlife and Countryside Act 1981 (as amended). The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most bird species is between March and September.

Application Number: DM/2024/00409

Proposal: Construction of wedding venue building as replacement for courtyard marquee, additional parking/turning and associated landscaping works

Address: Cefn Tilla Court, Cefn Tilla Road, Llandenny, NP15 1DG

Applicant: Mr Robert Evans

Plans: Floor Plans - Proposed PP02 - A, Elevations - Proposed PP10 - , Site Plan PP08 - , Location Plan PP09 - , Other LIGHTING REPORT - , Drainage P24-116-01-P2. - , Green Infrastructure Appraisal 107 290 REV B

RECOMMENDATION: Approve

Case Officer: Kate Bingham
Date Valid: 27.03.2024

This application is presented to Planning Committee as it is a Departure from the Local Development Plan

1.0 APPLICATION DETAILS

1.1 Site Description

The application site is a privately-owned Grade II listed country estate near the village of Llandenny, close to Usk. It has become well-established as a venue for weddings, corporate events, a filming location as well as holiday accommodation, mini-break clay pigeon shooting and private functions.

The immediate surrounding area is framed by mature woodland and parkland spaces with the wider area being characterised by large fields of arable farmland and gently rolling pasture, interspersed with scattered dwellings and farmsteads.

Access is via the country road linking the B4235 with Llandenny.

The site is not covered by any flood risk designation on the Natural Resources Wales flood risk map.

The site is within the Nutrient Sensitive Catchment Area of the River Usk Special Area of Conservation (SAC).

The use as a wedding venue provides the predominant revenue of the site along with on-site accommodation and holiday lets. Currently a marquee is used within the west courtyard to provide internal space, although this is now considered to be unsatisfactory on account of its shortcomings, notably regarding its unsuitability during inclement weather and susceptibility to wear and tear and damage.

1.2 Value Added

The application has gone through considerable amendments to address the original concerns of the Heritage Officer. These amendments have looked at simplifying the main frontage of the building which will be viewed from the rear of the listed building and removing the central atrium feature to main reception area.

1.3 Proposal Description

A standalone pavilion-style building is proposed to replace the marquee providing a venue space which is fit-for-purpose and which allows all year-round weddings.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2018/01717	Erection of a barn.	Acceptable	14.11.2018
DM/2020/00460	Proposed new machinery store (metal sheeting).	Approved	15.10.2020
DM/2020/00525	Proposed change of use of part of Cefn Tilla Court from private residence to a mixed use as private residence and wedding and general function venue.	Approved	24.11.2020
DM/2020/01187	Proposed change of use of part of coach house to holiday and annexe accommodation and associated works.	Approved	24.03.2022
DM/2021/00530	Proposed Change of use of part coach house to holiday accommodation and associated works.	Approved	01.04.2022
DM/2021/00531	LBC - Proposed change of use of part coach house to holiday accommodation and associated works.	Approved	11.05.2022
DM/2021/00555	Non material amendments (revised siting of building and additional doors) in relation to planning consent DM/2021/00460	Approved	24.11.2021
DM/2021/00618	Proposed change of use of workman's hut to holiday accommodation and associated works.	Approved	23.03.2022
DM/2021/00619	Proposed change of use of workman's hut to holiday accommodation and associated works	Approved	11.05.2022

DM/2021/01554	Proposed oak framed open fronted garage and outside store	Approved	23.12.2021
DM/2022/01507	Proposed additional overflow parking and minibus 'drop off' area	Approved	12.12.2023
DC/2016/00162	Repair, conservation work and minor internal alterations.	Approved	10.05.2016

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S10 LDP Rural Enterprise
S11 LDP Visitor Economy
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design

Development Management Policies

LC1 LDP New Built Development in the Open Countryside
LC5 LDP Protection and Enhancement of Landscape Character
DES1 LDP General Design Considerations
EP1 LDP Amenity and Environmental Protection
EP5 LDP Foul Sewage Disposal
GI1 LDP Green Infrastructure
NE1 LDP Nature Conservation and Development

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

Planning Policy Wales (PPW) Edition 12

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

Welsh Government Circulars

Welsh Government Circular 008/2018 - Planning requirement in respect of the use of private sewage in new development, incorporating septic tanks and small sewerage treatment plants (July 2018).

5.0 REPRESENTATIONS

5.1 Consultation Replies

Raglan Community Council - Members of Raglan Community Council reviewed the Planning Application submitted to the Planning Authority, and from the information provided do not wish to offer any objections to the proposed development, therefore the Community Council do not have any further comment to make on the proposed development.

NRW - No objections. Recognising the specific nature of the application submitted, the private sewage treatment system meets the screening criteria set out in our Advice, we are satisfied that there is unlikely to be a source of additional nutrients and/or a pathway for impacts. As such, in our opinion, it would be reasonable for your Authority to screen out this proposal as it is not likely to have a significant effect on the River USK SAC in relation to nutrient inputs.

Dwr Cymru – Welsh Water (DCWW) - We note from the application that the proposed development does not intend to connect to the public sewer network. As the sewerage undertaker we have no further comments to make. However, we recommend that a drainage strategy for the site be appropriately conditioned, implemented in full and retained for the lifetime of the development.

NATS Safeguarding - The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

Cadw - No objections.

MCC Heritage - No objections subject to conditions.

MCC Landscape/GI - No objection subject to conditions.

MCC Biodiversity - No comments.

MCC SAB - The proposed development will require a Sustainable Drainage System (SuDS) designed, constructed and maintained in accordance with the Statutory Standards for SuDS in Wales and approved by MCC as SuDS Approving Body (SAB).

MCC Lead Local Flood Authority - Flood risk maps provided by Natural Resources Wales do not indicate the site to be at particular risk of flooding. We therefore have no objection to the proposed development on flooding grounds.

SEWBReC Search Results - Multiple bat roosts recorded within 500m of the site.

5.2 Neighbour Notification

No comments received.

5.3 Other Representations

Welsh Historic Gardens Trust - Support the application. The Welsh Historic Gardens Trust (WHGT) is commenting on this application, acting upon a suggestion by Cadw that it be consulted.

The planning application is for the construction of a wedding venue building to replace a marquee built in the courtyard at Cefn Tilla Court. Cefn Tilla is on the register of Parks and Gardens in Wales as Grade II listed as a well preserved mid-nineteenth century small landscape park and garden with remnants of a formal seventeenth-century garden.

A site visit was undertaken by us. We met with the owner. He gave us a tour of the site including some alternative locations that had been considered; these would be, in our opinion, more invasive upon the Park, Garden and Cefn Tilla Court itself which is Grade II* listed.

The existing courtyard marquee roof, when viewed from some places in the garden, is unsympathetic to the roofline view of Cefn Tilla Court.

The proposed building reflects the brick of the walled garden and surrounding outbuildings of a more agricultural nature and is therefore more in keeping with its surroundings. With screening and landscaping the proposed building will provide a very necessary adjunct to Cefn Tilla Court.

WHGT would support the planning application.

5.4 Local Member Representations

No comments received.

Please note all representations can be read in full on the Council's website:
<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

6.0 EVALUATION

6.1 Principle of Development

6.1.1 The use of the site for weddings was granted planning permission (Ref: DM/2020/00525) by the Council in 2020 under Policy S10 of the Local Development Plan (LDP) as a rural enterprise and Policy S11 in regard to its tourism role. This application now proposes a new building, incidental to that land use, which raises additional policy issues.

6.1.2 There are exceptional circumstances for new built development in the open countryside for the purposes of rural diversification/ enterprise and recreation, leisure and tourism under Policy LC1 of the LDP. However, the provision of a new building for weddings when not associated with an existing hotel is not listed as one of these exceptions. Policy RE6 provides for the provision of suitable recreational, tourism and leisure facilities in the countryside, subject to detailed planning considerations. However, a new building to provide a wedding venue again, does not fall within the uses referred to in this policy. As such, the application has been advertised as a Departure to the LDP.

6.1.3 In this case, in the absence of any viable farming activity or other business it is the wedding venue which currently ensures the long-term upkeep and management of the listed buildings and registered park and garden. An alternative venue building is considered to be essential for the business to continue offering a high-quality wedding experience. While the marquee has enabled the business to become established, a long-term solution is now required to meet the demands of the market.

6.1.4 TAN6 also recognises the expansion of businesses that are currently located in the open countryside should be supported. This proposal will consolidate existing employment and lead to additional job creation, strengthening its role in the rural economy.

6.1.5 On balance therefore, it is considered that the proposed development is acceptable subject to detailed planning considerations.

6.2 Good Design / Historic Environment

6.2.1 Cefn Tilla is a grade II registered historic park and garden, registered for its historic interest as a well-preserved mid-nineteenth century small landscape park and garden, with remnants of a formal seventeenth century garden. The site has historical associations with the architect Sir Matthew Digby Wyatt (1820-77) who re-modelled and extended Cefn Tilla house in 1856-60 for the 2nd Lord Raglan. The park and garden have group value with the listed house, coach house and courtyard as well as the forecourt walls at Cefn Tilla Court, also listed.

6.2.2 The removal of the marquee represents a betterment for the site as its alien form, materials and prominence currently detracts from the building envelope and heritage quality. Whilst the existing marquee is limited in size, it does not sit comfortably within the context of heritage assets. The return of the west courtyard will allow its historic character and spatial quality to be understood and enjoyed as an open space and integral feature of the overall main house.

6.2.3 The new building is proposed to be located approximately 45m to the south-east of the main house on an area of informal grassland. There are some intervening trees between the proposed new building and the main house and further screening in the form of planting to the west and east is also proposed.

6.2.4 The building itself is of a relatively contemporary single-storey design with a large open hall served by reception entrance and kitchen / facility side rooms to the main hall. The ridge height of the gable on plan is indicated as 6.4m above relative ground level. Despite its necessary floor area, the building has been designed to appear subservient to the main house, using brickwork to match the existing walls on the site and lightweight glazing. The roof will be a metal standing seam flat roof so that the building as a whole takes on the character of a walled garden that would be typical in this context. Areas of green planted sedum walls are also proposed.

6.2.5 The application has gone through considerable amendments to address the original concerns of the Heritage Officer; these amendments have looked at simplifying the main frontage of the building which will be viewed from the rear of the listed building and removing the central atrium feature to main reception area. These amendments have improved the appearance of the building considerably and allowed it to settle within the context appearing as a subservient building incorporating a feature brick wall to match the existing walled garden and reflect the form of the adjacent courtyard. The building is now of a scale and mass that sits within the setting of the highly graded listed building within the Registered Garden.

6.2.6 There remains some ambiguity over finishing materials for the sides and rear of the building, as well as the roofing materials and therefore it is necessary to condition these to ensure that they are appropriate in the setting in that these elevations remain visible and any finishing details will impact on the overall appearance and appropriateness of the building. Therefore, a condition requiring samples of external finishing materials and details of windows and doors should be included on any consent that Members are minded to approve.

6.2.7 Scheduled monument MM178 Camp (650m South of Ty Freeman) is within 500m of the proposed development, but intervening topography, buildings and vegetation block all views between them. Consequently, the proposed development will have no impact on the setting of this monument.

6.2.8 On the basis of the above, it is considered that the design, scale and mass of the proposed new building is in keeping with the character and appearance of the highly graded listed building and the Registered Garden and the provisions of LDP Policy DES1 have been met.

6.3 Landscape/Green Infrastructure

6.3.1 The site is located in the open countryside and lies within the grounds of Cefn Tilla Court, a listed building and registered grade II historic park and garden. The grounds consist of mature gardens, defined garden spaces, paths and outbuildings to the main house that bound mixed

broadleaved and coniferous woodland, parkland and farmland. The site itself consists of semi-improved grassland merging with a wider field with a division by estate railings, immediately bounded by mature trees hardstanding and stonewalls the north. The site is partially separated from the main buildings and immediate setting by mature trees and shrubs.

6.3.2 From a policy perspective, LDP Policy LC5 (Protection and Enhancement of landscape character) highlights that development will be permitted provided it would not have an unacceptable adverse effect on the special character or quality of Monmouthshire's landscape in terms of its visual, historic, geological, ecological or cultural aspects.

6.3.3 The applicant has provided a relatively comprehensive landscape and visual impact assessment which describes the setting and character from a landscape perspective and provides an assessment of potential impact. It is noted from the review of the LVA that the site itself is relatively well 'hidden' from wider publicly accessible locations resulting in the limited viewpoint selections. The assessment has concluded no change in terms of visual impact and slight to no significant impact on local landscape character.

6.3.4 The tree report indicates that there will be three trees to be removed, assessed to be of a low quality and one group of mixed species. The report also demonstrates the proposed root protection measures to be adopted during development.

6.3.5 The applicant has provided a section showing relative ridge heights set against the context of the main building. The GI statement 5 shows a photomontage of the proposed structure as viewed from the main building looking south-east and within the context of foreground garden vegetation, adjacent trees and the backdrop of a mature tree line to the south. From the imagery provided and views from site of the structure, it is considered that the proposed new building would not significantly impact on skylines or the localised setting of main building and associated gardens. The captured view of the main building as viewed from the southern edge of the site field will be impacted, but views to the main building from garden boundary would not.

6.3.6 It is therefore considered from a Landscape and GI perspective, that the proposal is broadly acceptable and although the development will have an impact on landscape setting, the impact will not be 'significant adverse' due to the proximity of the proposed building, mass and ridgeline to the localised setting of the main building and southern elevation and gardens. The location will mean other elevations and approaches to the main building setting and character will not be impacted.

6.3.7 Chapter 6 of Planning Policy Wales (PPW) 12 highlights that a Green Infrastructure (GI) statement should be submitted with all planning applications and will be proportionate to the scale and nature of the development. The statement which will need to be informed by a GI assessment of the site will describe how green infrastructure will be incorporated into the proposal and how the step wise approach to protecting biodiversity, habitats and GI onsite will be managed. A step wise approach considers what impacts may occur as a result of development activity to any identified biodiversity, habitats and green infrastructure assets and networks that may be present on or bounding a site. The approach then seeks to manage any harm that may occur by (a) avoiding (b) minimising (c) Mitigate / Restore.

6.3.8 There are existing mature trees located to the west and east of the proposed development and these provide the backdrop to the 'house gardens'. These trees also connect with the wider woodland planting also located to the west and east of the main house. The wider estate grounds are a mixture of open grassland (sheep grazing) and large woodland belts that provide privacy and screening from the nearby Cefn Tilla Road, located north-east of the main building.

6.3.9 The opportunity to enhance the GI would be through the addition of native tree and shrub planting to enhance the existing 'garden' boundaries and wildflower areas to increase biodiversity. The retention of the ornamental vegetation and stone wall is also confirmed. The management of the GI assets will maintain the existing woodland and grassland areas to ensure that they continue to provide an ecological resource as well as a GI corridor to the woodland areas within the estate grounds as well as the wider area.

6.3.10 New GI planting will be protected against deer and rabbit damage with the use of tree/shrub guards and stakes and, where required, fencing to limit access and until the planting matures. With this management in place, the development site would continue to be part of the local green connectivity and function as part of the valued GI resource in the local area.

6.3.11 Further clarification regarding the proposed sedum roof and its establishment and aftercare should be provided as a condition of approval should Members be minded to approve the application.

6.4 Biodiversity

6.4.1 The proposed development will have no impact on the existing building in terms of ecology, the tent being a temporary feature with little opportunities for biodiversity. The area of land where the new building is proposed is well-maintained, semi-improved grassland. The grassland could be used on occasion by reptile and newt species for commuting but the short vegetation provides no cover from predation so the use of this habitat is considered to be limited. Therefore, as the development is restricted to the lawn area only, further survey work and mitigation measures for reptile species and Great Crested Newt are not considered to be necessary.

6.4.2 A strip of ornamental vegetation/ stone wall between the Terrace Lawn and the proposed new wedding venue is likely to be used by bats to commute from the buildings to the woodlands to the east. Reptiles and Amphibians (including Great Crested Newt) will also be likely to use the stone wall for commuting and hibernation purposes. The retention of the ornamental vegetation and stone wall has been confirmed so this valuable wildlife corridor will remain.

6.4.3 The use of native species within the proposed new soft landscaping works on the site are considered to compensate for the loss of any trees and grassland as a result of the new building. Suitable long-term management of soft landscaping also helps ensure spaces are useful to wildlife and in particular pollinating invertebrates.

6.4.4 Planning Policy Wales (PPW) 12 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 12 respond to the Section 6 Duty of the Environment (Wales) Act 2016. In this case, while new landscaping is to be secured through appropriate landscaping conditions the reasons for the need for new planting is in the interests of visual and landscape amenity. It is therefore considered reasonable and necessary to attach a separate condition requiring a scheme of specific ecological enhancements and a timetable for their implementation be agreed.

6.4.5 Given the location and bat records in the vicinity a wildlife friendly lighting strategy is required with sensitive lighting to reduce any negative impacts to nocturnal wildlife which use the area, especially foraging bats. Specialist lighting advice has been sought by the applicant from consultants to inform the proposed development. No floodlights are proposed or harsh lighting is intended to avoid unwanted light spill. A condition limiting any further lighting is suggested to be included on any consent that Members are minded to approve.

6.4.6 Under the Habitats Regulations, where a plan or project is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, and where it is not directly connected with or necessary to the management of the site, the competent authority must carry out an appropriate assessment of the implication of the plan or project in view of the site's conservation objectives. Natural Resources Wales has set new nutrient standards for the river SACs in Wales. Any proposed development within the SAC catchments that might increase the amount of nutrient within the catchment could lead to additional damaging effects to the SAC features and therefore such proposals must be screened through a HRA to determine whether they are likely to have a significant effect on the SAC condition.

6.4.7 This application has been screened in accordance with Natural Resources Wales' advice for planning applications within the river Special Areas of Conservation (SACs) catchments (v4 issued

28th June 2024). It is considered that this development is unlikely to increase nutrient inputs because the development improves existing water quality discharges by reducing the nutrient concentration of wastewater without increasing volume. The number of wedding guests and number of weddings per year would remain as existing, and therefore there would be no increase in foul drainage loading for the site. Betterment is provided by way of separating out the foul flows from the wedding events and treating this foul discharge through a new package treatment plant, discharging into the ground via a drainage field to the west.

6.5 Impact on Amenity

6.5.1 The buildings are set in extensive parkland meaning that there are no neighbouring occupiers close to the site that are likely to be affected by the development. It should also be noted that the proposed new purpose-built stand-alone building will replace an existing marquee used for the same purposes but without any sound-limiting features.

6.5.2 The separation of the proposed wedding venue building from the main House will allow a significant improvement in residential amenity for the occupiers of the main house as the distance and building design will ensure greater containment of noise and activity in comparison to the current marquee. The new building would also take pressure off the House allowing it to be closed to public access much earlier and reducing associated wear and tear and risk of damage.

6.5.3 On the basis of the above, it is considered that there is no conflict with LDP policies EP1 or DES1.

6.6 Highways

6.6.1 The site benefits from an existing large open area to the front which is suitable for parking. As a replacement for the existing marquee (not in addition to) and as there would be no change in function, there are no highway ramifications. The number of parking spaces will be unchanged with the only change being the marking out of an existing informal parking area.

6.6.2 The Transport Statement demonstrates that the proposed venue building will have a negligible impact on the local highway network.

6.7 Tourism

6.7.1 Weddings are linked to the benefits of tourism which is an important sector of the Monmouthshire economy. National and local planning policy places importance on rural communities developing strong economies and supporting local enterprise. Tourism and leisure are highlighted as a major and growing employer for their contribution to the Welsh rural economy.

6.7.2 The application intends to enhance the wedding day experience to attract future business, including Asian weddings which can last more than one day with multiple events and ceremonies. The value of weddings extends well beyond the venue into the local economy with guests typically using surrounding accommodation, local facilities, taxis and other transport.

6.8 Well-Being of Future Generations (Wales) Act 2015

6.8.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WCFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

7.0 RECOMMENDATION: APPROVE

Conditions:

1 This development shall be begun within 5 years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.
REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 Prior to the commencement of development the following details of soft landscape works shall be submitted to and approved in writing by the Local Planning Authority:

1. Soft landscape details for landscaping to include planting plans, specifications including species, size, density, number and location, cultivation and other operations associated with sedum roof, planting and seeding.

REASON: In the interests of visual and landscape amenity; in accordance with Policies DES1 & LC1/5 of the Local Development Plan.

4 All soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. Planting of Trees shall be in accordance with BS8545:2014 Trees: from nursery to independence in the landscape. The landscape works shall be carried out prior to the building hereby approved being brought into beneficial use or in accordance with a timetable agreed with the Local Planning Authority.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and ensure the provision afforded by appropriate Landscape Design and Green Infrastructure policies LC5, DES 1, S13, and GI 1 and NE1.

5 A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority prior to works commencing and shall include details of the arrangements for its implementation inclusive of roles and responsibilities. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To ensure the provision of amenity afforded by the proper maintenance of existing and / or new Landscape features.

6 Full details, including representative samples of all of the external finishing materials shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The development shall be carried out in accordance with the approved materials.

REASON: To safeguard the special character of the Listed Building.

7 Details of the proposed windows, doors and glazed roof to a minimum scale of 1:10 including elevations, vertical and horizontal sections with larger scale details to sufficiently describe the proposed units shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The development shall be carried out in accordance with the approved details.

REASON: To safeguard the special character of the Listed Building.

8 Details of the proposed eaves, verge and parapet to a minimum scale of 1:10 including elevations, vertical and horizontal sections with larger scale details to sufficiently describe the proposed units shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The development shall be carried out in accordance with the approved details.

REASON: To safeguard the special character of the Listed Building.

9 Notwithstanding the Town & Country Planning (General Permitted Development) Order

1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be installed within the site until an appropriate lighting plan has been submitted to and agreed in writing by the Local Planning Authority. Any such plan would need to include the detail of lighting type, positioning and specification for low level PIR lighting, which ensures that foraging/commuting habitat for bats is protected from light spill. Any lighting installed shall be in full accordance with the approved details and retained as such thereafter.

REASON: To safeguard foraging/commuting habitat of Species of Conservation Concern in accordance with Section 6 of the Environment Act (Wales) 2016 and LDP policies EP3 and NE1.

10 All works shall be carried out in accordance with the *Minimum Arboricultural Method Statement – Cefn Tilla Court* as detailed in BS5837 2012 Tree Information – Cefn Tilla Court 24/01/24.

REASON: To ensure the continued safeguarding of existing trees on site.

11 Prior to the commencement of development full details of a scheme of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the location of the means of enhancement shown on a scaled plan and a timetable for their implementation. The development shall be carried out in accordance with the approved details and timetable.

REASON: To provide ecological enhancement and ensure compliance with PPW 12, the Environment (Wales) Act 2016 and LDP Policy NE1.

INFORMATIVES

1 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

2 As of 7th January 2019, all construction work in Wales with drainage implications, of 100m² or more, is now required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water (whether they require planning permission or not). These SuDS must be designed and constructed in accordance with the Welsh Government Standards for Sustainable Drainage.

The SuDS Approving Body (SAB) is a service delivered by the Local Authority to ensure that drainage proposals for all new developments of at least 2 properties OR over 100m² of construction area are fit for purpose, designed and built in accordance with the National Standards for Sustainable Drainage published by Welsh Ministers.

If you are in any doubt as to whether you require SAB approval, please contact:

SAB@monmouthshire.gov.uk

For advice regarding the application process and general enquiries - 01495 768306

For technical advice regarding your SuDS design and meeting the National Standards - 01633 644730

3 All birds are protected by the Wildlife and Countryside Act 1981. The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most birds is between March and September.

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Application Number: DM/2024/00985

Proposal: Replacement dwelling

Address: Bushes Farm, Chapel Road, Earlswood, Shirenewton

Applicant: Mr Mike Wells

Plans: Block Plan 120 B - , Other ELEVATION SECTION COMPARISON - , Other ELEVATION TIMELINE - , Other EXISTING AND PROPOSED VOLUME CALCULATION - , Other PROPOSED BAT BUILDING - , Other RESI CURTILAGE - , Block Plan 257 021 B - , Floor Plans - Existing 257 022 B - , Elevations - Existing 257 028 - , Block Plan 257 031 B - , Elevations - Existing 257 04 - , Floor Plans - Proposed 257 121 B - , Elevations - Proposed 257 132 A - , Floor Plans - Proposed 257 122 - , Elevations - Proposed 257 130 B - , Elevations - Proposed 2024 257 131 A - , Elevations - Proposed 257 133 A - , Location Plan 257 - , Other DRAFT UNILATERAL UNDERTAKING - , Other DESIGN AND ACCESS STATEMENT - , Other NATURE CONSERVATION MANAGEMENT PLAN

RECOMMENDATION: Refuse

Case Officer: Kate Young

Date Valid: 06.08.2024

The application was presented to Planning Committee on the 5th November. However, due to a procedural irregularity at that meeting, the application is returning for consideration by Planning Committee on the 3rd December 2024.

Note: the application is now presented with one reason for refusal as identified in the amended officer report below.

03.11.2024 Planning Committee

This application was presented to Planning Committee at the request of the local member Councillor Brown

1.0 APPLICATION DETAILS

1.1 Site Description

The site is in open countryside near Earlswood, approximately 3km north of Llanfair Discoed and 4 km north-west of Shirenewton. The application site is on the western side of Chapel Road just to the north of Bushes Farm Bungalow. The land immediately to the north of the site is designated as a Site of Importance for Nature Conservation (SINC, a local designation). The land on the site slopes up steeply from south to north and part of the site has recently been excavated to a depth of approximately 3 metres.

At the time of the officer's most recent site visit (14th August 2024) on the site there was:

- A shed constructed of profiled sheeting, in a poor state of repair and used for storage (outside the red line of the application)
- The footprint of a small concrete block building about 4/5 courses high (outside the red line)
- A recently constructed concrete block building partially faced in natural stone, still under construction and missing a roof
- An unoccupied mobile home
- A stock pile of natural stone

- A shipping container (located to the north of the driveway from the public highway and in the red edge of the application site but outside the proposed curtilage).

There are two vehicular accesses leading to the site, one of which crosses the SINC to the north and is unauthorised.

1.2 Proposal Description

The description of development is a 'Replacement Dwelling'. The proposed plans show the erection of a new five-bedroom dwelling, the erection of a bat house, alterations to ground levels, the installation of a package treatment plant and surface water soakaways. The curtilage of building is proposed to be extended into the agricultural field to the north. The new dwelling would have a linear form, being mainly two storey, with a single-storey flat roofed element to the west and a car port to the east. It would occupy roughly the same footprint as the former farmhouse. The blockwork is proposed be faced with the natural stone recovered from the site with some areas of charred timber cladding and the roof would be made up of pantiles.

The following documents were submitted in support of the application
A Design and Access Statement (referring to alterations and a new bat house)
Nature Conservation Management Plan
Updated Bat Survey
Tree Survey
Green Infrastructure Assessment Statement.

1.2 Planning History

There was a stone built farmhouse on the site as evidenced by a map from 1882. In 1975 permission was granted for a replacement farmhouse on the site which was built sometime later and is known as Bushes Bungalow, immediately to the south of the application site. Bushes Bungalow was the subject of an agricultural worker's occupancy tie. It was a condition of that approval in 1975 that the original farmhouse be demolished or used for agricultural storage. As part of a previous application in 2018 the applicant confirmed that the former farmhouse had been used for agricultural storage.

In 2018 planning application (DM/2018/00128) was submitted for the Rehabilitation of farmhouse to dwelling with an attached car port to the side. That application was considered under Policy H4 of the LDP, Conversion/Rehabilitation of Buildings in the Open Countryside to Residential Use. It was clear at that time that the building was redundant and uninhabitable. The officers report of August 2018 said

"Bush's Farm, is a two storey stone built former farm house which has been vacant for approximately 40 years and is now derelict and overgrown, part of the roof remains but large parts of the roof are missing. Most of the walls are intact but there is some structural cracking. Some interesting structures remain like the first floor fire place and stair well."

The officers report also noted *that the building had been used for several years as agricultural storage*, after the construction of the bungalow, in accordance with the condition applied in 1975.

A structural appraisal was submitted with the 2018 application which outlined the level of new build and repair that would be required. It stated that generally the existing walls were straight and free from major cracking. It identified that 3.5 square metres of the front elevation, 3 square metres of the east elevation, 12 square metres of the rear elevation and 3 square metres of the west elevation would have to be rebuilt. There would also have to be some minor repair work to the walls and re-pointing would be needed throughout. The planning permission for the rehabilitation of the farmhouse DM/2018/00128 was approved in August 2018 and the following condition was attached.

No part of any wall of the existing building other than shown on the approved plans is to be demolished .

REASON: This conversion is granted having regard to the Council's policies which relate to the conversion of redundant buildings in the countryside and the information supplied with the

application. If substantial demolition and rebuilding are necessary the development may be beyond that which has been permitted.

In September 2022 it became apparent that the building which was the subject of application DM/2018/00128 was no longer standing; on further investigation it appears that none of the original structure remains. The applicant was advised to stop work on site relating to the new build structure on the footprint of the former building.

Another planning application, DM/2023/01105 was received in August 2023, with the development description:

Proposed amendments to previous planning permission ref: DC/2018/00128 to incorporate minor amendments to approved alterations including a side and rear extension, amended bat provision and alteration of ground levels.

In December 2023 DM/2023/01105 was refused for amendments to previous planning permission. The reasons for refusal of that application were:

- Notwithstanding the description of the proposal on the application form, the application relates to the erection of a new dwelling in the open countryside without justification. This is contrary to Policy S1 of the Monmouthshire Local Development Plan and to national planning policy and guidance within Planning Policy Wales and Technical Advice Note 6.
- This proposal would result in a new dwelling being located within the open countryside without justification. The proposed residential dwelling with the associated curtilage, driveway and parking area would significantly adversely affect the open rural character of the area. The residential curtilage would extend into a former agricultural field which has been designated as a Site of Interest for Nature Conservation (SINC). The change of use of this elevated land and the inevitable domestic paraphernalia would be detrimental to the rural character of the area and would be contrary to policies LC1 and LC5 of the LDP.
- The development fails to secure an affordable housing contribution in line with LDP Policy S4 and MCC adopted Affordable Housing SPG July 2019.

The above application, DM/2023/01105 is currently the subject of a planning appeal lodged with PEDW.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2018/00128	Rehabilitation of Farmhouse to Dwelling at Bushes Farm, Chapel Road	Approved	31.08.2018
DM/2020/00881	Bushes Bungalow Removal of condition 1 from planning consent 2314 (Date of Decision: 01/09/1975):- Occupation of the proposed bungalow shall be limited to a person employed or last employed wholly or mainly locally in agriculture as defined in Section 290(1) of the Town and Country Planning Act 1971, or a dependent of such person residing with him.	Approved	05.03.2021

DM/2023/01105	Proposed amendments to previous planning permission ref: DC/2018/00128 to incorporate minor amendments to approved alterations including a side and rear extension, amended bat provision and alteration of ground levels.	Refused and now subject to Appeal	06.12.2023
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3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision
S4 LDP Affordable Housing Provision
S12 LDP Efficient Resource Use and Flood Risk
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design

Development Management Policies

H5 LDP Replacement Dwellings in the Open Countryside
SD4 LDP Sustainable Drainage
LC1 LDP New Built Development in the Open Countryside
LC5 LDP Protection and Enhancement of Landscape Character
GI1 LDP Green Infrastructure
NE1 LDP Nature Conservation and Development
EP1 LDP Amenity and Environmental Protection
MV1 LDP Proposed Developments and Highway Considerations
DES1 LDP General Design Considerations

Supplementary Planning Guidance

Monmouthshire Local Development Plan: Policies H5 & H6—Replacement Dwellings in the Open Countryside & Extension of Rural Dwellings April 2015
<https://www.monmouthshire.gov.uk/app/uploads/2024/06/H5-H6-SPG-April-2015.pdf>

Conversion of Agricultural Buildings Design Guide SPG April 2015

LDP Policy H4 (g) Conversion/Rehabilitation of Buildings in the Open Countryside to Residential Use Assessment of Re-use for Business Purposes SPG April 2015:
[http://www.monmouthshire.gov.uk/app/uploads/2015/07/H4-LDP-Barn-Conversion-SPG-April\[1\]2015.pdf](http://www.monmouthshire.gov.uk/app/uploads/2015/07/H4-LDP-Barn-Conversion-SPG-April[1]2015.pdf)

Affordable Housing SPG
<http://www.monmouthshire.gov.uk/app/uploads/2015/07/LDP-Policy-H4-g-SPG-April-2015.pdf>

Monmouthshire Parking Standards
<https://www.monmouthshire.gov.uk/app/uploads/2019/09/Final-Adopted-SPG-July-2019.pdf>
Monmouthshire Parking Standards (January 2013)
[http://www.monmouthshire.gov.uk/app/uploads/2015/07/Mon-CC-Parking-Standards-SPG-Jan\[1\]2013.pdf](http://www.monmouthshire.gov.uk/app/uploads/2015/07/Mon-CC-Parking-Standards-SPG-Jan[1]2013.pdf)

National Planning Policies
Technical Advice Note 6 - Planning for Sustainable Rural Communities (2010):
<http://gov.wales/docs/desh/policy/100722tan6en.pdf>

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

Planning Policy Wales (PPW) Edition 12

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Shirenewton Community Council – Objects.

More of the original structure of the old farmhouse has been lost. In applying for its replacement, the applicants appear to accept that the farmhouse is not capable of restoration or renovation. The bungalow which was built as its replacement still exists. The old farmhouse should have been demolished upon construction of the replacement bungalow. It follows that the current application is, despite its title, an application for a new build in open countryside.

1. The proposed new building does not comply with the planning policies of the Welsh Government nor of MCC as to new build in open countryside
2. The size and scale of the proposed building significantly exceeds the original volume of the farmhouse.
3. The size and scale of the proposed building will have a material adverse effect on the local landscape being uncharacteristic of typical Monmouthshire farmhouses.
4. The new building will adversely impact on local infrastructure and amenities particularly transport and schools which are already overstretched.

SCC is surprised that this application has been followed by an appeal against MCC's decision to refuse the proposed amendments in application DM/2023/01105. SCC suggests DM/2024/00985 be referred to MCC's Planning Committee and held in abeyance pending the outcome of the appeal at which point SCC would wish to make further comment.

SCC made further representations reiterating that the old farmhouse should have been demolished once the new bungalow had been built. It follows that the present application is not for the renovation of an old farmhouse but for the construction of a new residential house on the site of the old farmhouse. The application does not assert any farming/agricultural need for the proposed renovation.

SCC propose 2 options:

Require the removal of the bungalow as a precondition of the renovation of the farmhouse or, Consider the application as a new build in the countryside and not a renovation. A large 5 bedroom house would have a detrimental impact on the character of the surrounding area and on local services and amenities.

SCC note they have not been able to view the detailed plans on the website, and may wish to make further comment, however due to the history SCC objects to the application and recommends refusal.

MCC Highways - No Objection.

The access arrangements remain unchanged in respect of the current application and will utilise the existing access as proposed under the previous applications.

MCC Tree Officer - Concerns

The site is surrounded by mature, semi mature and established trees. There is evidence that trees have been removed and that the RPZ has not been adhered to. Considerable ground removal has been carried out exposing and damaging tree roots. An Arboricultural report will be required to assess the damage done and identify future protection; they may also be a risk to property if stability has been compromised.

There is a large pile of dead trees which have been excavated and seem to have been arranged to burn. It is not clear if it is intended to clear more trees. Initial TPO notifications have been served.

MCC Building Control - No objection.

There are many areas where compliance would need to be demonstrated, including, but not limited to, method of fire suppression, structural aspects, ventilation, drainage, access and security, as well as a design sap calculation being required prior to commencement of works on site.

Lead Local Flood Authority and SuDS Approval Body - Provisional holding objection.

The proposed development will require SuDS and further information or clarification is required. The application has not demonstrated a means of surface water discharge (rainwater harvesting, infiltration, watercourse, surface water sewer or combined sewer). Without a suitable surface water destination the site may not be lawfully developable.

There are no objections in relation to flood risk.

SuDS officer requests a condition to ensure no development takes place until a SAB application has been approved.

GI and Landscape Officer - Provisional holding objection - Further information or clarification is required.

It is not clear from the information provided that compliance with LDP Policy H5 (a) ii has been fully determined.

Further information is required in terms of the potential visual impact of the proposal on the localised landscape character as viewed from publicly accessible receptors, including a photomontage visualisation of the proposal in this context.

The Nature Conservation plan states that the track installed through the SINC to provide access will be reinstated, this is welcomed although this does not appear as being within the red line boundary. Full and comprehensive landscape and management plan will be required to show how the proposed new works, remedial works including a timeline and aftercare will be achieved.

Figure 32 of the DAS indicates native species, however more detail on planting mix is required.

Full details of the proposed works to trees is required, including the need to address the loss of existing trees with suitable and appropriate replanting, which should include betterment.

Further details of the proposed green roof are required.

Further details of the proposed ground levels are also required.

Conditions are also suggested.

MCC Ecology – No objection subject to conditions.

Natural Resources Wales - No Objections.

NRW note the submission of an updated Bat survey (June 2023) to support the application, which identifies that bats are/were present at the site. They note that the deterioration of the building (roof collapse) and recent building works mean the building has negligible potential to support bats and welcome the introduction of a bat house.

On the basis of this report NRW do not consider the development is likely to be detrimental to the maintenance of the population of the species concerned.

5.2 Neighbour Notification

Letters of objection received from four addresses

This site has been subject to biodiversity devastation, including bats, trees, badgers and harmed the SINC.

There is no original building on site to replace and so there is no policy to support new build in the open countryside.

The original farmhouse was presumably vacated following the construction of the adjacent bungalow. The structure was then left to decay over the subsequent 40+ years and so any historic planning rights would have ceased due to abandonment.

The complete demolition of the remaining structure in 2022 made it physically impossible to comply with the conditions imposed by the 2018 consent, making the consent invalid .

The applicants have failed to comply with planning and environmental constraints.

Misleading information in support of the application.

Failure to refuse this application would set a precedent.

The access track should be removed and the SINC reinstated.

Over-development of the site resulting in additional buildings.

Further comments were more general

That the structural improvements of the building were essential and so this made the collapse understandable.

The focus should now be on improving the housing stock and reinstating the ecology on site.

The proposed building is of good design but is enlarged, a small extension such as the rear corridor to the rear.

A condition or a Section 106 Agreement should be included to restore the SINC.

5.3 Other Representations

None Received

5.4 Local Member Representations

Councillor Louise Brown

I am writing to request that this application DM/2024/00985 is referred to the planning committee for consideration of the national and local planning policy issues raised.

I note that there is also an appeal on the original application DM/2023/01105 in view of the refusal of the application when it was considered by the planning committee last year.

In view of the fact that the outcome of the appeal on the original application DM/2023/01105 is not known, then it would seem appropriate for this application to be considered by the planning committee after that appeal has been determined.

If this application does proceed after the outcome of the appeal decision is known or if the appeal is withdrawn and the time limit for appealing has past but this application is still proceeded with, then I would like the opportunity to comment further.

Please note all representations can be read in full on the Council's website:

<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

6.0 EVALUATION

6.1 Principle of Development

The development description states that the proposal is a replacement dwelling. However, it is considered that at the time of writing there is no lawful residential dwelling on the site and therefore it is not possible to consider the replacement of such.

The original farmhouse (residential unit) was replaced by Bushes Bungalow in the 1970's and ceased to be used as a residential dwelling. The residential use was abandoned following the new bungalow being occupied. The old stone farmhouse lay empty for over 40 years and the previous applicant maintained that the former farmhouse had been used for agricultural storage, as per the planning condition applied in 1975. Even before any works had taken place on site in 2022, the building was not habitable and the residential use had been abandoned. Part of the roof was missing, some of the wall had collapsed. In the submitted Design and Access Statement by Hall and Bednarczyk accompanying this current applicant it states that:

"The farmhouse was left vacant for approximately 40 years during which time it fell into a state of disrepair with partial collapse/removal of the walls and roofs, with large sections becoming overgrown with ivy and shrubbery."

The dilapidated former farmhouse, whether demolished or not, had no extant residential use and therefore a new residential dwelling on this site cannot be considered as a replacement.

Policy H5 of the Local Development Plan refers to Replacement Dwellings in the Open Countryside and states that, the replacement of existing dwellings in the countryside will be permitted provided that the original dwelling

- i) is not a traditional farmhouse, cottage or other building that is important to the visual and intrinsic character of the landscape;
- ii) has not been demolished, abandoned or fallen into such a state of disrepair so that it no longer has the appearance of a dwelling.

In this case, had the building not been demolished it would not have complied with Policy H5 as the residential use had been abandoned and the structure was that of a traditional farmhouse that was important to the visual and intrinsic character of the landscape. The proposed development would not meet criterion ii) of LDP Policy H5 as the original building no longer exists and thus, is not a lawful dwelling.

The proposed dwelling which is the subject of this application is considered to be, in policy terms, a new dwelling in the open countryside, and therefore, considered under separate policies and in the same terms as DM/2023/01105.

The application seeks the building of a new dwelling in the open countryside outside of any development boundary. Policy S1 of the LDP states that in the open countryside the only new dwellings allowed are conversion of rural buildings under policy H4 of the plan, subdivisions and dwellings associated with rural enterprise. The building, the subject to this application has been re-constructed in the last 12 months following the loss of the previous building. Therefore, the building cannot be considered as a conversion and the application therefore cannot be considered under Policy H4 of the LDP. The proposal does not relate to the subdivision of an existing dwelling and the applicants have supplied no evidence that the new dwelling is required in association with a rural enterprise.

Paragraph 4.2.24 of PPW11 states that, "In the open countryside, away from established settlements recognised in development plans or away from other areas allocated for development, the fact that a single house on a particular site would be unobtrusive is not, by itself, a good argument in favour of permission; such permissions could be granted too often, to the overall detriment of the character of an area." In this case the proposed new dwelling would be outside of any development boundary and is therefore considered to be in open countryside.

The site of the dwelling itself is not visually prominent although the location of the residential curtilage on a former agricultural field in an elevated position is prominent. The proposed new dwelling and the curtilage, with the inevitable residential paraphernalia, would have a detrimental impact on the rural character of the area. The principle of constructing a new dwelling within the open countryside is unacceptable and would be contrary to National and Local Planning Policies which are in place to protect the rural character of the area. Isolated new houses in the open countryside require special justification and no such evidence has been supplied to suggest there are any exceptional circumstances; therefore the proposal is considered to be contrary to policy S1 the LDP.

The application does not include any robust supporting evidence to suggest why the proposed new build dwelling in the open countryside is justified. New dwellings in the open countryside are only permitted in exceptional circumstances. There is no justification to deviate from national and local planning policies which clearly outline that there is a presumption against new built development in the open countryside. The construction of the new build dwelling is not justified for the purposes of agriculture or forestry and is therefore contrary to the guidance within Planning Policy Wales, Technical Advice Note 6 and Policy LC1 of the LDP. Policy LC1 of the LDP says there is a presumption against new built development in the open countryside unless it is required for rural enterprise, agriculture or tourism and even then it is subject to strict criteria. The principle of constructing a new dwelling within the open countryside is unacceptable and would be contrary to National and Local Planning Policies.

Paragraph 3.60 of PPW12 says that, 'Development in the countryside should be located within and adjoining those settlements where it can best be accommodated in terms of infrastructure, access, habitat and landscape conservation.' This is to protect the rural character of the area. Isolated new houses in the open countryside require special justification. There is no justification to deviate from national and local planning policies which clearly outline that there is a presumption against new built development in the open countryside. Policy LC1 of the LDP presumes against new built development in the open countryside. It is recognised that there may be exceptional circumstances where new built development may be acceptable in the open countryside for the purposes of agriculture, forestry, farm and rural diversification/ enterprise and recreation, leisure and tourism, as justified under national policy and/ or policies S10, RE3, RE4, RE5, RE6, T2 and T3 of the LDP. However in this case there are no exceptional circumstances and the proposal is thus contrary to Policy LC1 of the LDP.

6.2 Sustainability

The LDP and PPW encourage sustainable development. The location of the site is not sustainable given that the residents of the new dwelling would be reliant on a car to access all facilities. The proposed new dwelling at Bushes Farmhouse adopts a range of passive design strategies. The modern construction methods will represent a significant step change in the thermal efficiency, the use of carefully selected and durable materials will create a building envelope that has low embodied CO2 in its composition and helps to create natural habitats for flora and fauna. The design would incorporate a series of measures to increase its thermal performance, which have been facilitated by the new construction. Efficient thermal construction would be incorporated into the build with highly efficient windows, a ground source heat pump together with underfloor heating and low energy internal lighting. In addition, a waste management methodology includes design strategies that provide on-site waste separation enabling recycling and storage for scheduled collection. Dedicated bin stores located in the utility room would facilitate this.

The highly technical specification of the proposed building is welcomed, but it is not considered to be a sufficient justification for allowing a new dwelling in the open countryside in an unsustainable location.

6.2.1 Good Design and Place Making

Policy DES1 of the LDP requires that the development contributes to a sense of place while its intensity is compatible with existing uses. In this case the design of the new dwelling is broadly acceptable, but it is the principle of a new dwelling that is contrary to policy. Moreover, the proposal

involves significantly increasing the size of the curtilage by over 100%, well beyond that which was approved under the previous rehabilitation/ conversion application DM/2018/00128. The encroachment of the residential curtilage, especially into the agricultural field which has been designated as a SINC, to the north that occupies an elevated position, would have a harmful impact on the rural character of the area contrary to Policy DES 1.

6.3 Landscape

Policy LC1 says there is a presumption against new built development in the open countryside unless it can be justified under national planning policies and/or policies S10, RE3, RE4, RE5 RE6, T2 or T3. There is no such justification in this case. Policy LC5 of the LDP seeks the protection and enhancement of the landscape character.

The site is located in the open countryside and currently consists of a partially re-constructed building (quarter built as per planning statement 2.24), that had been substantially demolished, set on a small landform platform accessed along a short track from the lane to the east. The site is set within north to south sloping land with hedging to boundaries, woodland to the west and grassland in fields to north and south of the site which form part of the Bushes Farm SINC. Immediately adjacent to the east of the building are mature trees also within the SINC. Areas of woodland to the west are ancient and semi-natural woodland.

The Council's Landscape Officer has considered the proposals and concludes that additional information would be required to support the application to enable a full response and has provided a holding objection.

The Officer is concerned that there appears to be a lack of consistency regarding the application boundary area in terms of indicated pertinent works related to the proposal. A photomontage visualisation of the proposal within the context of setting and landform would be appropriate as part of a focussed Landscape Visual Assessment (LVA). This would also provide an indication of the relationship of the proposed architectural form and light spill with landform especially on the north elevation but also on the southern elevation. Further information relating to the relationship of levels with regard to the proposed parking area and retained trees is also required. An appropriate remediation, planting and seeding landscape plan and landscape management plan is considered to be required.

The site lies within a sensitive landscape character area. An analysis of the relevant sensitivity appraisals from LANDMAP information indicates that the LCA has been evaluated as:

Visual & Sensory; 88% High and 12% Moderate

Historic Landscape; 23% Outstanding and 77% High

Cultural Landscape; 98% Outstanding and 2% High

The replacement dwelling proposal seeks approval for part retrospective retention of the existing built form at the point of application and proposed completion of works to construct a building of a similar structure to that of an original dwelling as indicated in the planning statement 3.3 and 3.4. The proposal includes new parking, landscaping, reinstatement works and a proposed bat building to the west of the site.

Materials are indicated as being traditional - stone, timber and pantiles with more contemporary materials on the single storey side extension and barn door infill i.e. glass, a green roof and charred timber cladding. From a policy perspective, LDP Policy LC1 - New Built Development in the Open Countryside - highlights that there is a presumption against new built development in the open countryside, unless justified under national planning policy and/or LDP policies. New built development will only be permitted where all of the criteria a) to d) have been met.

LC5 Protection and Enhancement of landscape character highlights that development will be permitted provided it would not have an unacceptable adverse effect on the special character or quality of Monmouthshire's landscape in terms of its visual, historic, geological, ecological or cultural aspects.

It is concluded that from a landscape perspective, there is insufficient information to ensure compliance with LDP policies LC1 and LC5.

6.4 Biodiversity

6.4.1 The proposed works are limited to the building to form the new dwelling and the immediate area outside the SINC and thus the SINC should not be impacted by the proposal. The Design & access Statement suggests reprofiling of the land to the rear of the proposed dwelling and thus, to mitigate for any damage, if permission is granted conditions are required for an Ecological Management Plan for the SINC and a Construction Environmental Management Plan (CEMP).

6.4.2 As mitigation for the loss of a bat roost, a purpose-built bat house is proposed west of the dwelling. A new section of hedgerow to improve connectivity is also proposed. Other species identified can be protected via the terms of the required CEMP.

6.4.3 The various measures proposed are considered to provide a net benefit for biodiversity and there are no objections from either NRW or MCC's Ecologist to the proposed development.

6.5 Impact on Amenity

There are two properties close to this site. Bushes Bungalow is approximately 35 metres to the south-east. The garden area of Bushes Bungalow abuts the access drive into the application site. There is also a stone barn approximately 66 metres to the south of the application site that has planning permission for conversion to a residential unit. The new dwelling proposed for this site is sufficiently far from these properties and positioned so that it would not have a significant adverse impact on the privacy, amenity and health of the occupiers of neighbouring properties and therefore accords with the objectives of policies DES1 and EP1 of the LDP.

6.6 Transport

6.6.1 Sustainable Transport Hierarchy

PPW refers to the Sustainable Transport Hierarchy where walking and cycling are the highest priority and public transport second with private motor vehicles being the least desirable. In this case the proposed dwelling will not be sited in a sustainable location, being a long way from any defined settlements or facilities. The settlement of Earlswood does have a community facility in the form of a village hall but not a primary school as suggested in the submitted planning statement. The closest Primary school is in Mynydd-bach/ Shirenewton. There is a bus stop on the main B-road about 1 km from the site and the bus, which runs four times a day, provides access to Chepstow, via Shirenewton, and Cwmbran. The location is not considered sustainable for a new build residential unit.

6.6.2 Active Travel

No active travel solutions have been proposed as part of this application.

6.6.3 Access / Highway Safety

The site has the benefit of an existing vehicular access into the site. The application proposes no amendments that directly or indirectly affect the existing means of access or the adjacent public highway and accords with Policy MV1 of the LDP.

6.6.4 Parking

The adopted Monmouthshire Parking standards require one off street parking space per bedroom up to a maximum of three for residential properties. In this case sufficient car parking provision can be accommodated within the site and therefore the proposal accords with Policy MV1 of the LDP.

6.7 Affordable Housing

The applicants have submitted a draft Unilateral Undertaking as part of the application. The proposed undertaking is between the applicants and the council and the first schedule states:

Planning Obligation

The Owners will undertake to the council

Part 1 Contribution

1. The owner covenants with the council to pay the contribution to the council on or before 28 days from the grant of planning permission.

LDP Policy S4 requires affordable housing contributions to be made in relation to developments which result in a net gain in residential dwellings. Where the net gain in dwellings is below the threshold for affordable units to be provided on site, then a financial contribution is appropriate. In this case the application is seeking a replacement dwelling, if this was the case then no contribution for affordable housing would be required as there would be no net gain in the number of residential units.

If this development was to be allowed as a new dwelling in the open countryside then a financial contribution based on floor area and the calculation contained in Appendix 3 of the Affordable Housing Supplementary Planning Guidance (July 2019) would be required.

6.8 Flooding

The site is not in a designated flood zone identified in the DAM Maps of TAN 15.

6.9 Drainage

6.9.1 Foul Drainage

The proposed Block Plan Drawing no. 120 shows the position of a package treatment plant. No details of the treatment plant have been included with the submission. Under the Conservation of Habitats and Species Regulations 2017 it is necessary to consider whether the development should be subject to a Habitat Regulations Assessment. This is in particular reference to the impact of increased concentrations of Phosphates on designated SACs. NRW has set new phosphate standards for the riverine SACs of the Wye and Usk and their catchment areas. Development that may increase the concentration of phosphates levels will be subject to appropriate assessment and HRA. This application is outside of the SAC catchment and so will not have a detrimental impact on any protected SAC, and as a result no further assessment is required.

6.9.2 Surface Water Drainage

Surface water will be disposed of via a sustainable drainage system. As the total construction area is above 100m² SAB approval will be required. The application has not demonstrated a means of surface water discharge (rainwater harvesting, infiltration, watercourse, surface water sewer or combined sewer). Without a suitable surface water destination the site may not be lawfully developable.

6.10 Planning Obligations

No obligations are required for a replacement dwelling.

6.11 Well-Being of Future Generations (Wales) Act 2015

The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle

through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.12 Conclusion

There is no lawful residential use on the site and thus, there can be no replacement dwelling, there being no residential dwelling to replace. The old, dilapidated farmhouse was replaced by Bushes Bungalow in the 1970's and ceased to be used as a residential dwelling. Even before the structure was lost in 2022, the residential use had been abandoned and the building was not habitable.

It is a long-established principle in national and local planning policy to restrict new build development in the open countryside except in very special circumstances. In this case there are no extenuating circumstances as to why a newly constructed dwelling should be granted permission against this longstanding policy. It is therefore considered that the principle of the development is contrary to Planning Policy Wales, Technical Advice Note 6 and LDP policies S1, LC1 and LC5.

7.0 RECOMMENDATION: REFUSE

Reasons for Refusal:

- 1 The proposed building, by virtue of a lack of an existing lawful residential use on the site, is not considered to be a replacement dwelling. Therefore, the proposals fail to comply with LDP Policy H5. The application relates to the erection of a new dwelling in the open countryside without justification. This is contrary to Policy S1 of the Monmouthshire Local Development Plan (LDP) and to National Planning Policy and Guidance within Planning Policy Wales and Technical Advice Note 6.

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